

Burlington Development Review Board

Department of Permitting & Inspections
645 Pine Street
Burlington, VT 05401
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Brad Rabinowitz
Leo Sprinzen
Chase Taylor
Sean McKenzie, (Alternate)
Emily O'Hara (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, April 4, 2023, 5:00 PM

PUBLIC HEARING NOTICE

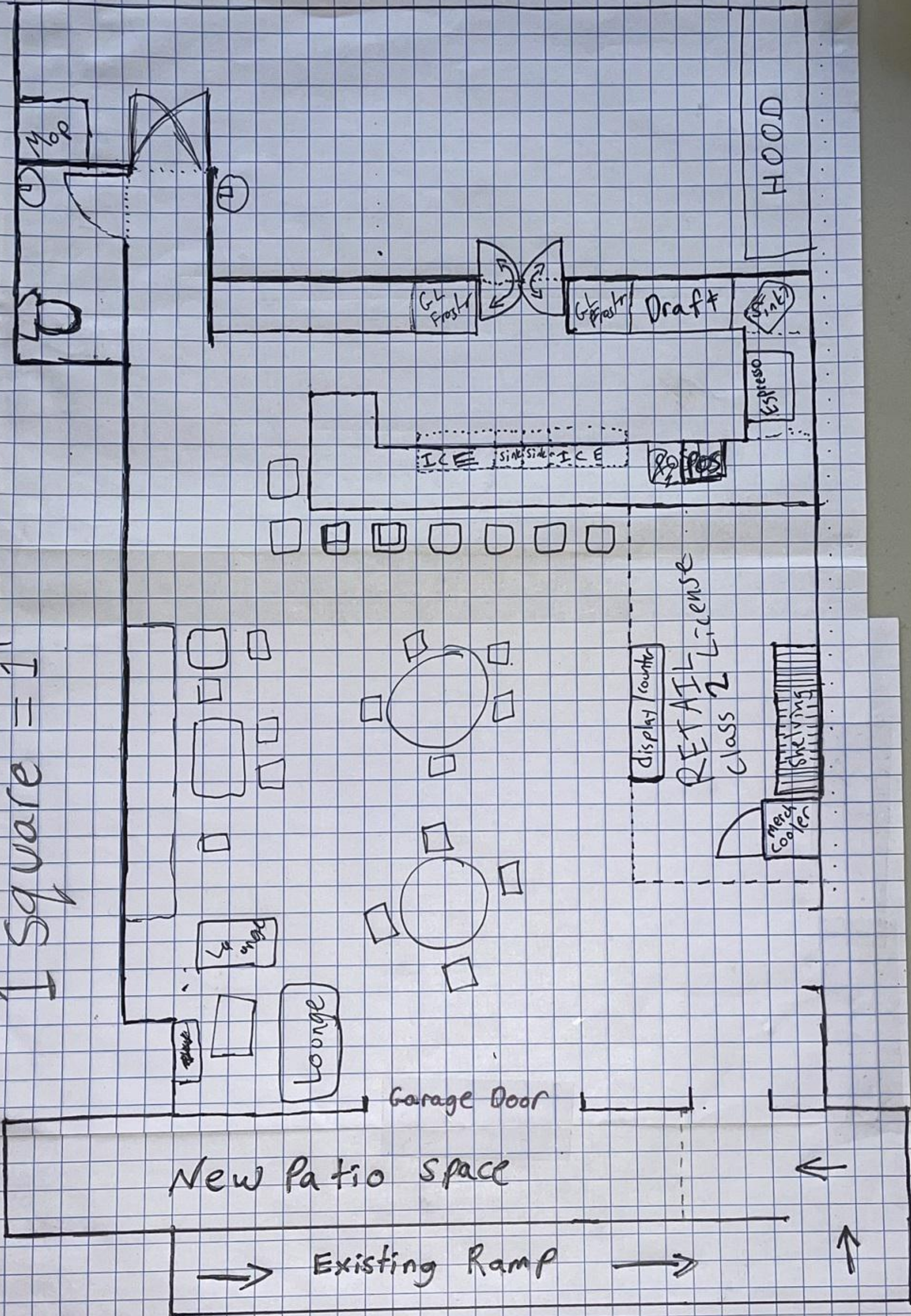
In Person (at 645 Pine Street) Meeting

- 1. ZP-22-640; 294-296 North Winooski Avenue (NMU, Ward 2C) Irene Hinsdale / Samuel Nelis**
Change of use from mixed-use restaurant to bar.

Plans may be viewed upon request by contacting the Department of Permitting & Inspections between the hours of 8:00 a.m. and 4:30 p.m. Participation in the DRB proceeding is a prerequisite to the right to take any subsequent appeal. Please note that ANYTHING submitted to the Zoning office is considered public and cannot be kept confidential. This may not be the final order in which items will be heard. Please view final Agenda, at www.burlingtonvt.gov/dpi/dr/ agendas or the office notice board, one week before the hearing for the order in which items will be heard.

The City of Burlington will not tolerate unlawful harassment or discrimination on the basis of political or religious affiliation, race, color, national origin, place of birth, ancestry, age, sex, sexual orientation, gender identity, marital status, veteran status, disability, HIV positive status, crime victim status or genetic information. The City is also committed to providing proper access to services, facilities, and employment opportunities. For accessibility information or alternative formats, please contact Human Resources Department at (802) 540-2505.

1 square = 1'



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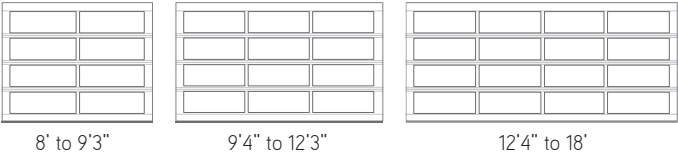
Build your garage door

Visualize your home with a new garage door. Visit garaga.com/designcentre or scan the QR code.

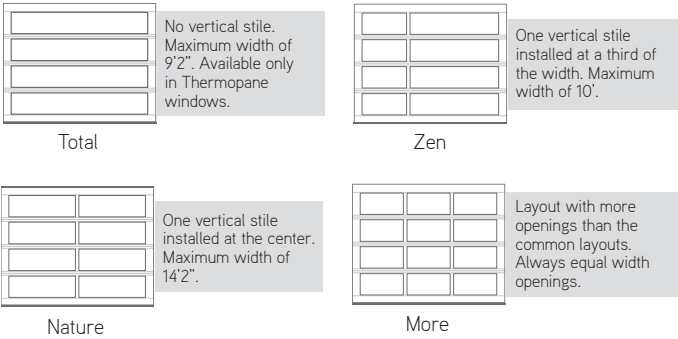


FULL VISION DOOR
THICKNESS: 1 3/4" | ALUMINUM FRAME

COMMON LAYOUTS



SPECIAL LAYOUTS



IMPORTANT - The full vision door should not be used for its insulation properties.

FRAME COLORS



California, 18 x 8', Black aluminum frame, Clear glass

WINDOWS



Clear

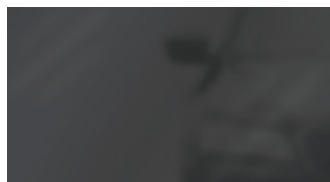


Sandblasted

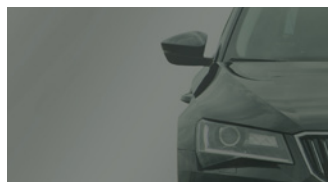
See all possibilities and specifications about the windows. Visit garaga.com/california and click on Windows or scan the QR code.



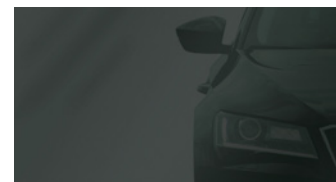
Satin Grey



Satin Black



SuperGrey Tinted



Graylite



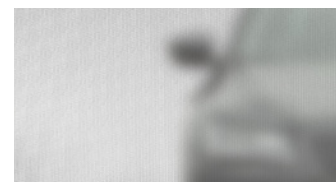
Bronze Tinted



Green Tinted



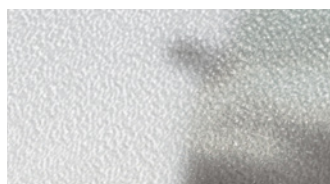
Mirrorpane



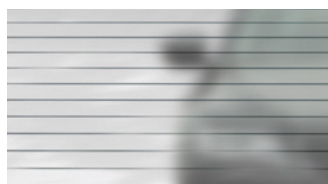
Screen



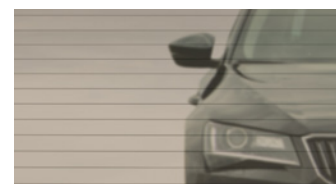
Niagara



Pinhead



Masterline



Fluted Polycarbonate Bronze

GLAZING OPTIONS

		Clear	Clear Low-E	Clear Laminated	Sandblasted	Satin Grey	Satin Black	SuperGrey Tinted	Graylite	Grey	Bronze Tinted	Green Tinted	Pinhead	Mirrorpane	Bronze Reflective	Glue Chip	Screen	Masterline	Niagara	Diamond
Glass	Single Pane 1/8"	●			●		●	●		●	●		●							
	*Thermopane 7/8"	●	●	●	●	●	●	●	●		●	●	●	●	●	●	●	●	●	●
Polycarbonate	Single Pane 1/8"	●																		
	*Thermopane 7/8"	●																		
Fluted Polycarbonate	*Triple Wall Structure 7/8"	●									●									
Acrylic	Single Pane 1/8"	●																		
	*Thermopane 7/8"	●																		
Important	Availability: ● = California ● = California's Commercial Construction *Thermopane and Triple Wall Structure: low additional fees apply. Single Pane and Thermopane Glass have both sides tempered.																			

SIZES

Widths from 8' to 18', in 1" increments. Heights from 6'6" to 8', in 1" increments.
See your garage door dealer for more details on oversized doors available.

WARRANTY

Door sections: limited lifetime
Dura+ hardware: 2 years
Weatherstripping: 1 year

Windows: 10 years against seal defects
1 year for thermal break



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YOUR GARAGA DISTRIBUTOR



California, 6' x 8'6" and 16' x 8'6", Black aluminum frame, Sandblasted glass

For all technical specifications for the California and the latest updates, visit www.garaga.com. Garaga has established continuous improvement programs for all its products. As a result of this ongoing quest, technical specifications for various doors are subject to change without notice. The door colors and the windows shown are as exact as printing techniques will allow. Please request an actual color sample. Trademarks and registered trademarks of Garaga Inc. are denoted by TM, ® and © respectively. © Garaga Inc. 2022 - All rights reserved - Printed in Canada

95361 - 05/2022



Current "flower bed" is 28" x 148"
New Location marked in blue along
side of building. 40 feet from front corner.



New ~~flower bed~~ ^{Flower bed} will be made with 2"x6" pieces of
Lumber, similar to a raised garden bed.
~~Planter~~
The flower bed will consist of Day Lilies.

Little Morocco Café





I've already discussed with ←
the landlord, and we can
get this pipe extended under
the patio to be able to access
it from the side once the
patio is in place.



SPECS

DESCRIPTION OF THE BUSINESS

“SPECS” is bartender slang for a drink recipe, short for “specifications”. That is what this business offers; a bar, a café, a workshop, and a store, all in which to explore the delicious world of drinks.

In a stunning bar setting, SPECS has espresso drinks by day and every variety of classic cocktail by night. International wines and beers are available, as well as fresh juices, local sodas, and other booze-free drinks. Thoughtful small plates and bar snacks are available for order. Its atmosphere flows naturally between café and bar, a characteristic found in small Café Bars all over Europe.

A beverage-mart occupies part of the space selling beers, wines, sherries, vermouths, and port from all over the globe. The store also provides cocktail tools, books, house made juices, syrups, and other ingredients.

The workshop is a small educational space focused on beverages. Classes are taught on subjects such as: cocktail mixing, wine tastings, understanding coffee bean varieties, etc. The class levels range from at-home hobbyists to hospitality professionals wanting to improve their craft. Some classes are taught by the staff and some are taught by other experts in the field.

The service is comfortable in attitude yet passionately focused on its craft. The staff is friendly, welcoming, and real. Serving drinks is, at its core, hospitality. The focus on befriending the guests and making them feel at home is tangible. The team has a loving way of educating guests that want to learn about drink culture.

TEAM

Owned and operated by Sam Nelis, an award winning industry professional recognized nationwide. Sam has a proven track record of designing and building bars as well as running successful beverage programs at well known independently owned local establishments. Such as Pizzeria Verita, Waterworks Food + Drink, and Barr Hill’s Distillery bars. He has successfully managed large build-out budgets. His recent work with Barr Hill as Beverage Director / Educator has taught him a lot about branding, marketing, and the industry in general as it stands today. Sam has experience teaching the craft

of bartending to new professionals and the general public. He has successful experience mentoring his staff as they become leaders, and go on to manage or own their own places. Sam uses his teaching style to grow capable leaders in order for them to take on more responsibilities so that the business can continue to grow as its most valuable staff members also get a chance to grow along with it.

An experienced bar manager / lead bartender partners with Sam and has equity in the business to run the bar specifics, so Sam can work as General Manager of the business. The bar manager is someone Sam has worked with successfully in the past to run programs. With similar styles the two are very talented, classically trained bartenders and are able to interchange positions when needed.

SPECS receives consultations from a professional chef to build the food menu. It's a menu that many of the staff members can execute.

It employs about 6 or 7 other people, with tasks from light prep work, general hospitality work, bartending, barbacking, etc.

The core staff will comprise a couple classically trained professional bartenders that can help share the ethos of SPECS through their hospitality, their education, and guided tastings.

The rest of the staff will be filled in by apprentices that want to learn the craft first hand.

Operations

We plan to eventually open 7 days a week from 8am-12am
We plan to monitor the noise levels of the outdoor deck and not allow for any excess noise.

All live music and performances will be strictly inside only and the patio garage door will be closed at 10pm when these events occur in consideration of neighbors

Department of Permitting and Inspections

Zoning Division

645 Pine Street

Burlington, VT 05401

<http://www.burlingtonvt.gov/PZ/>

Telephone: (802) 865-7188

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William Ward, Director
Theodore Miles, Code Compliance Officer
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Garret King, Associate Planner
Joseph Cava, Planning Technician
Celeste Crowley, Permit Administrator



MEMORANDUM

To: Development Review Board

From: Mary O'Neil, AICP, Principal Planner

Date: April 4, 2023

RE: ZP-23-56; 326 College Street

Note: These are staff comments only. Decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.

File: ZP-23-56

Location: 326 College Street

Zone: RH **Ward:** 8E

Parking District: Multi-Modal Mixed Use

Date application accepted: February 16, 2023

Applicant/ Owner: Skip McClellan, Krebs & Lansing Engineers / Jannef Holdings LLC (Mark Farrell)

Request: Stormwater and parking lot improvements over four properties (326-328 College Street, 332-334 College Street, 87-89 South Willard Street and 91-93 South Willard Street).

Site-specific changes requiring DRB review are: New/replacement retaining walls within 2' of property lines; demolish and replace accessory structure.

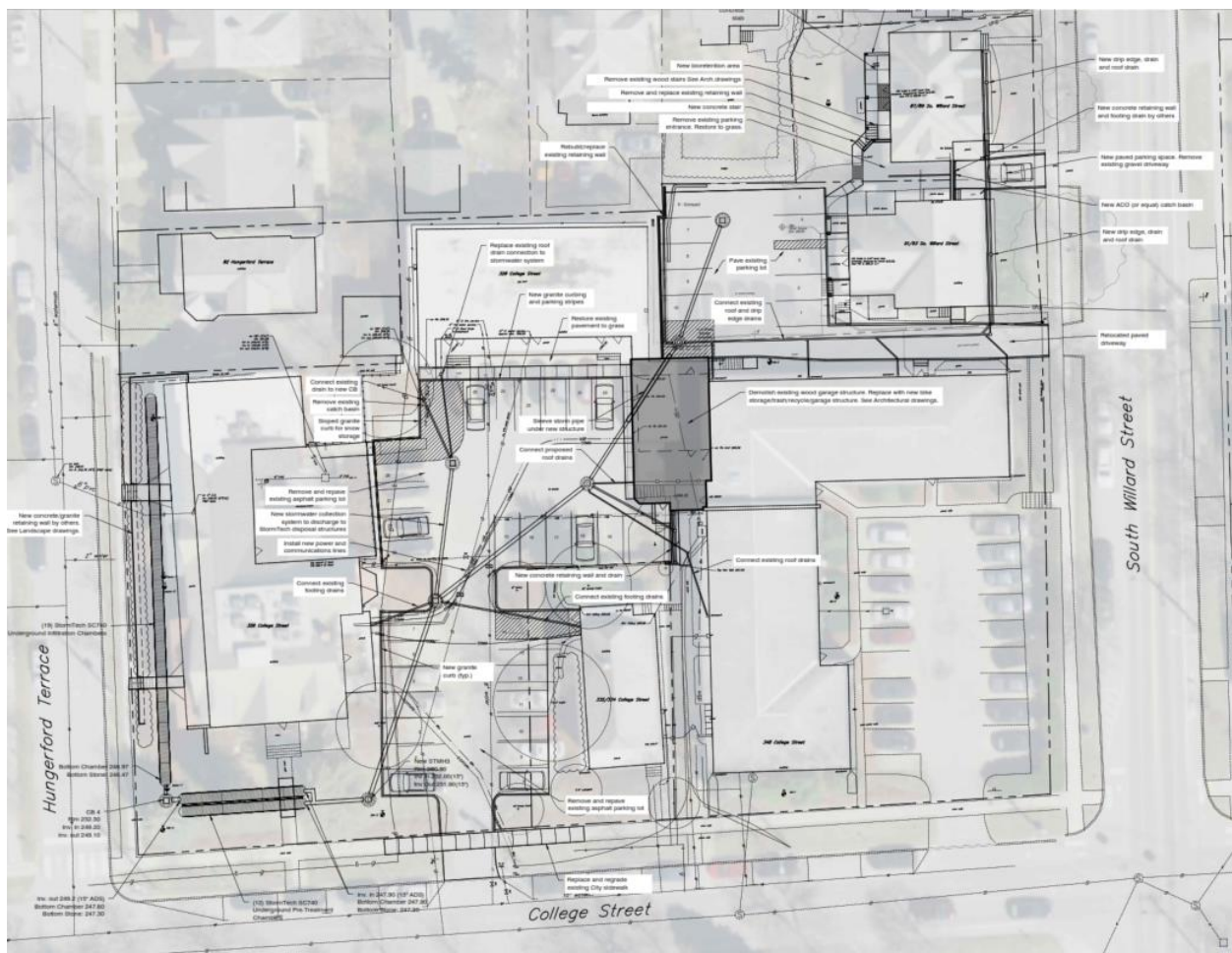
Background: (326 College Street)

- **Zoning Permit 20-0614CA;** remove roof extension to bay window. Replace west porch decking with composite. January 2020.
- **Zoning Permit 08-102CA;** replace north-west side porches to match existing, remove and brick doorway, remove and brick up windows, remove roof extension to porch, replace column bases as needed, replace railings at south-east side porches, replace front door, replace windows, install 4 additional HVAC units to roof top adjacent to existing units. August 2007.
- **Zoning Permit 03-507;** place 1.5 ton HVAC units on the roofs for gas heat and air conditioning. August 2003.
- **Zoning Permit 03-445;** remove small window on 2nd floor. Replace one door with window to match other existing windows on first floor. Remove two smaller windows on first floor. April 2003.
- **Zoning Permit 03-355;** rebuild existing three level open porches on the parking lot side to the existing apartment building. March 2003.

- **Zoning Permit 89-490 / 89-095;** replace portions of existing slate roof with bronze standing seam. September 1989.
- **Zoning Permit (n.n.);** convert two apartments into four apartments making a total of 15 apartments. June 1965.

328 College Street (“the Newport”)

- **Zoning Permit 96-217;** rebuild three level open porch system on parking lot side of the existing contemporary apartment building. October 1995.



Overview: 326 College Street is a large, inverted “U” shaped parcel with three separate structures; 326 College (left), 328 College (top) and 348 College (right.) The property owner owns several other contiguous parcels (among them, 82 Hungerford Terrace, 332-334 College Street, 87-89 South Willard and 91-93 South Willard) most of which are included in the stormwater improvements, but are separately permitted by parcel. Specific alterations within the overall plan that require DRB review are 1) new/replacement retaining walls within a required setback, and a replacement accessory structure that is attached to 348 College Street.

Recommended motion: Certificate of Appropriateness Approval, per the following Findings and Conditions:

I. Findings

Article 2: Administrative Mechanisms

Section 2.7.8 Withhold Permit

The administrative officer is authorized to deny all zoning permits or certificates of occupancy for any property with an uncorrected zoning violation (i.e. notice of zoning violation and/or municipal complaint ticket has been issued and is not under appeal.) The administrative officer is also authorized to deny all zoning permits for any property with an expired zoning permit without a final certificate of occupancy.

Instead of withholding or denying a zoning permit, the administrative officer may grant such permit subject to the condition that the uncorrected zoning violation is corrected or the expired zoning permit is closed out with a final certificate of occupancy. Such actions) shall take place before the issuance of a final certificate of occupancy on the new permit.

There are a number of open zoning permit (“Permit indeterminate” that require Certificates of Occupancy. Prior to issuance of a CO for this permit, all open permits must be closed.

Affirmative finding as conditioned.

Article 3: Applications, Permits and Project Reviews

Part 3: Impact Fees

The Assessor’s Property Database reports that the existing garage/storage building is 1,000 sf. If the replacement building exceeds that gross area, Impact Fees shall be assessed for the new area with credit given for existing. The applicant shall provide that information to staff for assessment and, if appropriate, calculation of any fees due. **Affirmative finding as conditioned.**

Article 4: Zoning Maps and Districts

Table 4.4.5-3 Residential District Dimensional Standards

RH zoning district	Front Setback Ave. of 2 adjacent lots on both sides +/- 5’	Side Yard Setback 10% of lot width or ave. of side yard setback of 2 adjacent lots on both sides	Rear yard Setback 25% lot depth	Max. Lot Coverage 80%	Max Height 35’
326 College parcel	No change.	Replacement but slightly expanded retaining walls come within 2’ of property lines in two places: Along the north/west corner of the lot, and next to parking space #6 in the	This parcel has three street frontages. There are no rear setbacks. Not applicable.	74.4% (<80%)	Replacement accessory structure proposed to be approx.. 21’+/-.

		rear. Requires DRB review per Section 5.2.5 (b) 3. See below. Replacement accessory structure placement exceeds average setback of two neighboring properties on the north. (87-89 and 91-93 South Willard)			
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Affirmative finding with DRB Concurrence with Section 5.2.5 (b) 3.

Article 5: Citywide General Regulations

Section 5.2.1 Existing Small Lots.

Not applicable.

Section 5.2.2 Required Frontage or Access

326 College Street has frontage on College, Hungerford Terrace, and South Willard Street, with vehicular access from College Street. **Affirmative finding.**

Section 5.2.3 Lot Coverage Requirements

See Table 4.4.5-3, above.

Section 5.2.4 Buildable Area Calculation & Steep Slopes Overlay

(a) Buildable Area Calculation

Not applicable in RH.

(b) Steep Slopes Overlay district

326 College Street is not identified within the Steep Slopes Overlay District. Not applicable.

Section 5.2.5 Setbacks

See Table 4.4.5-3, above.

(b) Exception to Yard Setback Requirements

3. Retaining Walls. *Retaining walls no greater than 5' tall may project into a required yard setback, but retaining walls should be set back a minimum of 2' from a property boundary. Retaining walls projecting into a required setback and exceed 5' tall and/or come within 2' of a property boundary shall be subject to Development Review Board review per Article 6.*

There are two locations on the 326 parcel where the application proposes to replace/extend existing retaining walls; both of which are within 2' of a property boundary. On the 326 College Street parcel, the application proposes to replace a wooden beam retaining wall on the west of the lot with a concrete base/granite top retaining wall.

326 COLLEGE ST.

GRANITE RETAINING WALL TO BE HELD OFF OF BUILDING BY 2" MIN.

GRANITE RETAINING WALL TYP.

RECONDITIONED GRANITE STEPS TYP.

CONCRETE WALK TYP. SEE CIVIL. CONCRETE TO RECEIVE LIGHT BROOM FINISH AND NO TROWEL EDGE

EXISTING SHRUBS TO BE REMOVED, STORED AND REPLANTED AFTER WALL AND CHAMBER INSTALLATION TYP.

GRANITE RETAINING WALL TYP.

25

26

27

28

29

EXISTING PERENNIALS REMAIN TYP.

EXISTING TREE TO TYP.

7

See Site Plan inset this sheet

Bridge over swale, See Landscape drawing.

6 - Compact

C.O. Inv 260.00

7

8

9

10

New CB1
Rim 263.70
Inv Out 258.60(12')

New porch columns (typ.). See Architectural drawings

New 6" wide granite curb (typ.)

Paved parking area

Remove and dispose of existing concrete pad

New STMH1
Rim 265.10
Inv In 254.20(12')

Top of foundation wall 270.00
Top of foundation wall 268.34

Grass

6" Solid HOPE

Rebuild conc. pad and step

Existing gas service. Contact Gas Company for existing alignment

New retaining wall and footing drain by others. See Architectural and Structural drawings

91/93 So. Willard Street

New YD2
Rim 270.50
Inv Out 263.32(6')

Remove existing gravel. Restore to grass

New conc. pad and stair

End new conc. sidewalk

FFE inside is 0.33' lower than threshold. Measured by Formel 8/2/22. Road FFE is 266.23 +/-

The applicant has provided a product specification sheet for the retaining wall, and an image of what is proposed.

The post-construction stormwater and Erosion Prevention and Sediment Control plans have already been reviewed and approved by the City Stormwater program.

Affirmative finding with DRB acceptable of the extended retaining walls within 2' of a property boundary.



Section 5.2.6 Building Height Limits

The replacement garage/common room are detailed on plan A2. The new structure, with storage below and a common room (off the laundry facility) fall far less than the 35' height limitation; approximately 22' to the roof decking.

Affirmative finding.

Section 5.2.7 Density and Intensity of Development Calculations

Not applicable.

Part 3: Non Conformities

The collective parcels include some pre-existing retaining walls that fall within setbacks. Adoption of standards relative to retaining walls now make these non-conforming. Section 5.2.5 (b) 3. Allows for DRB discretionary review of retaining walls within 2' of a property boundary. See that section, above.

Sec. 5.4.8 Historic Buildings and Sites

Although 326 College Street is listed on the state and National Register of Historic Resources, the small accessory building proposed for demolition and replacement, attached to 348 College Street is not. For purposes of this review, this standard is not applicable.



Section 5.5.2 Outdoor lighting

No lighting changes are identified within this application. If the applicant wishes to include any lighting, fixture information and light levels shall be provided to staff for review and approval.

Affirmative finding as conditioned.

Article 6:

Part 1: Land Division Design Standards

Not applicable.

Part 2: Site Plan Design Standards

This is an overall stormwater improvement plan, much of it subsurface. It will benefit 326, 328, and 348 College Street; 332-334 College Street, 87-89 South Willard Street and 91-93 South Willard Street. All are owned by the applicant.

Sec. 6.2.2 Review Standards

(a) Protection of Important Natural Features:

One spruce will be removed behind 332-334 College Street to facilitate the plan; otherwise, no other natural features will be affected. Reference is made to the robust landscaping plan provided in the submission: Plan L.100. **Affirmative finding.**

(b) Topographical Alterations:

The purposeful removal and re-sculpting of the parking areas to facilitate stormwater collection is the basis for this ambitious plan. Retaining walls are proposed as replacements, or extensions of existing walls. See Section 5.2.5. (b) 3. For further discussion.

Affirmative finding with DRB concurrence.

(c) Protection of Important Public Views:

There are no protected views from or through these parcels. Not applicable.

(d) Protection of Important Cultural Resources:

Burlington's architectural and cultural heritage shall be protected through sensitive and respectful redevelopment, rehabilitation, and infill. Archeological sites likely to yield information important to the city's or the region's pre-history or history shall be evaluated, documented, and avoided whenever feasible. Where the proposed development involves sites listed or eligible for listing on a state or national register of historic places, the applicant shall meet the applicable development and design standards pursuant to Sec. 5.4.8(b).

Although several of the buildings are listed on the National Register within the Main Street / College Street Historic District, the accessory garage structure appended to 348 College Street is not. The standards of Section 5.4.8, therefore, do not apply.

(e) Supporting the Use of Renewable Energy Resources:

No part of this application precludes the use of wind, water, solar, geothermal, or other renewable energy resource. **Affirmative finding.**

(f) Brownfield Sites:

Not applicable.

(g) Provide for nature's events:

Special attention shall be accorded to stormwater runoff so that neighboring properties and/or the public stormwater drainage system are not adversely affected. All development and site disturbance shall follow applicable city and state erosion and stormwater management guidelines in accordance with the requirements of Art 5, Sec 5.5.3.

One of the primary project outcomes is to manage the on-site stormwater across multiple adjacent properties. The applicant makes a significant investment towards that end. The plan received approval from the Stormwater Engineer in February 2023. **Affirmative finding.**

(h) Building Location and Orientation:

The proposed replacement accessory structure is in the same interior site location as the existing building, which will be demolished. Appended to 348 College Street, the new building will provide ground level storage facilities, as well as a common area for residents to gather, immediately adjacent to the laundry facilities. **Affirmative finding.**

(i) Vehicular Access:

No change. **Affirmative finding.**

(j) Pedestrian Access:

No proposed changes. **Affirmative finding.**

(k) Accessibility for the Handicapped:

The building officials have jurisdiction for ADA compliance.

(l) Parking and Circulation:

Parking areas will be improved with stormwater collection, drainage, and new paving. 29 surface parking spaces will be provided in the central lot, with 18 additional east of 348 College Street.

The other parcels relating to this Stormwater improvement project will be permitted separately, and have their own parking areas. **Affirmative finding as conditioned.**

(m) Landscaping and Fences:

See Plan L-100. **Affirmative finding.**

(n) Public Plazas and Open Space:

The replacement accessory structure will include a 2nd floor Common Room for residents, as well as a rooftop deck. **Affirmative finding.**



(o) Outdoor Lighting:

Where exterior lighting is proposed the applicant shall meet the lighting performance standards as per Sec 5.5.2.

If the project includes any new or replacement lighting, fixture information and light levels shall be provided to staff for review and approval.

Affirmative finding as conditioned.

(p) Integrate infrastructure into the design:

The replacement accessory structure is intended to provide an area for trash, recycling, bicycle and

resident storage, **Affirmative finding.**

Part 3: Architectural Design Standards
Sec. 6.3.2 Review Standards

(a) Relate development to its environment:

1. Massing, Height and Scale:

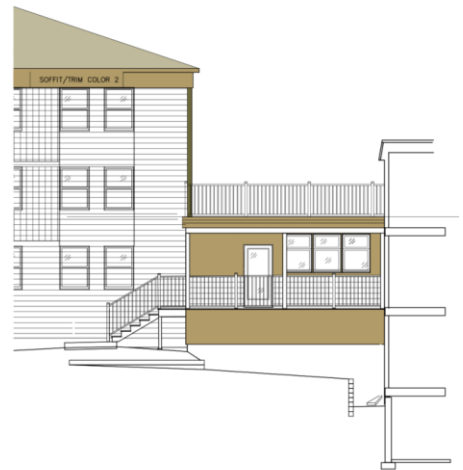
The flat-roofed accessory structure is subordinate in size and deferential in massing to the larger residential buildings that surround it. **Affirmative finding.**

2. Roofs and Rooflines.

A flat roof is proposed, which provides the opportunity for outdoor gathering for the residents. **Affirmative finding.**

3. Building Openings

The first floor/west elevation provides garage door openings; the second floor has paired windows to enhance the interior common area.



(b) Protection of Important Architectural Resources:

See Section 6.2.2 (d) above.

(d) Protection of Important Public Views:

There are no protected views from or through this property. Not applicable.

(d) Provide an active and inviting street edge:

The replacement accessory structure will have limited visibility from any streetfront; but in general is deferential in size and location to the existing surrounding buildings. **Affirmative finding.**



(e) Quality of materials:

Sheathing for the accessory structure is a mixture of: 1. Horizontal lap siding; 2. Vertical grooved siding; 3. Smooth panels. All are acceptable for new construction.

(f) Reduce energy utilization:

All new construction shall meet the Guidelines for Energy Efficient Construction pursuant to the requirements of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances. **Affirmative finding as conditioned.**

(g) Make advertising features complementary to the site:

Not applicable.

(h) Integrate infrastructure into the building design:

See Section 6.2.2 (p), above.

(i) Make spaces secure and safe:

This development is subject to all applicable building and life safety code as determined by the building officials and/or fire marshal.

Article 8: Parking

The 326 College Street will be providing 47 surface parking spaces (29 in the central lot, 18 more east of 348 College Street. There are no longer any minimum parking requirements within the CDO. The application does not propose any additional residential units or change of use.

Affirmative finding.

II. Conditions of Approval

1. There are a number of open zoning permit (“*Permit indeterminate*” that require Certificates of Occupancy. Prior to issuance of a CO for this permit, all open permits must be closed. A list has been attached in the project Open Gov folder.
2. If the applicant wishes to include any lighting, fixture information and light levels shall be provided to staff for review and approval.
3. All new construction shall meet the Guidelines for Energy Efficient Construction pursuant to the requirements of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances.
4. Separate permit applications shall be made for the other involved properties in the Stormwater improvement project. (87-89 South Willard, 91-93 South Willard Street, and 332-334 College Street.)
5. Standard Permit Conditions 1-15.

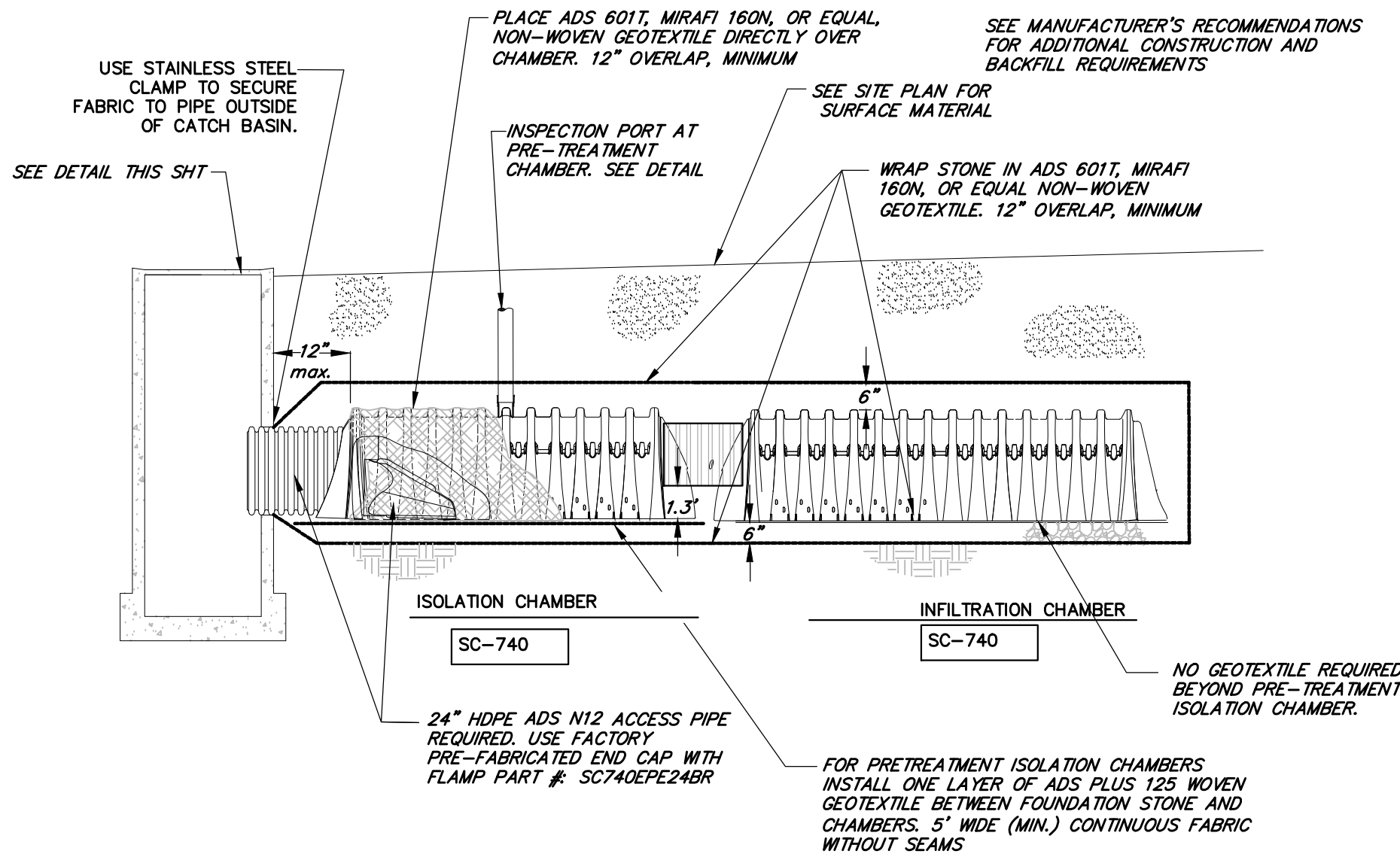
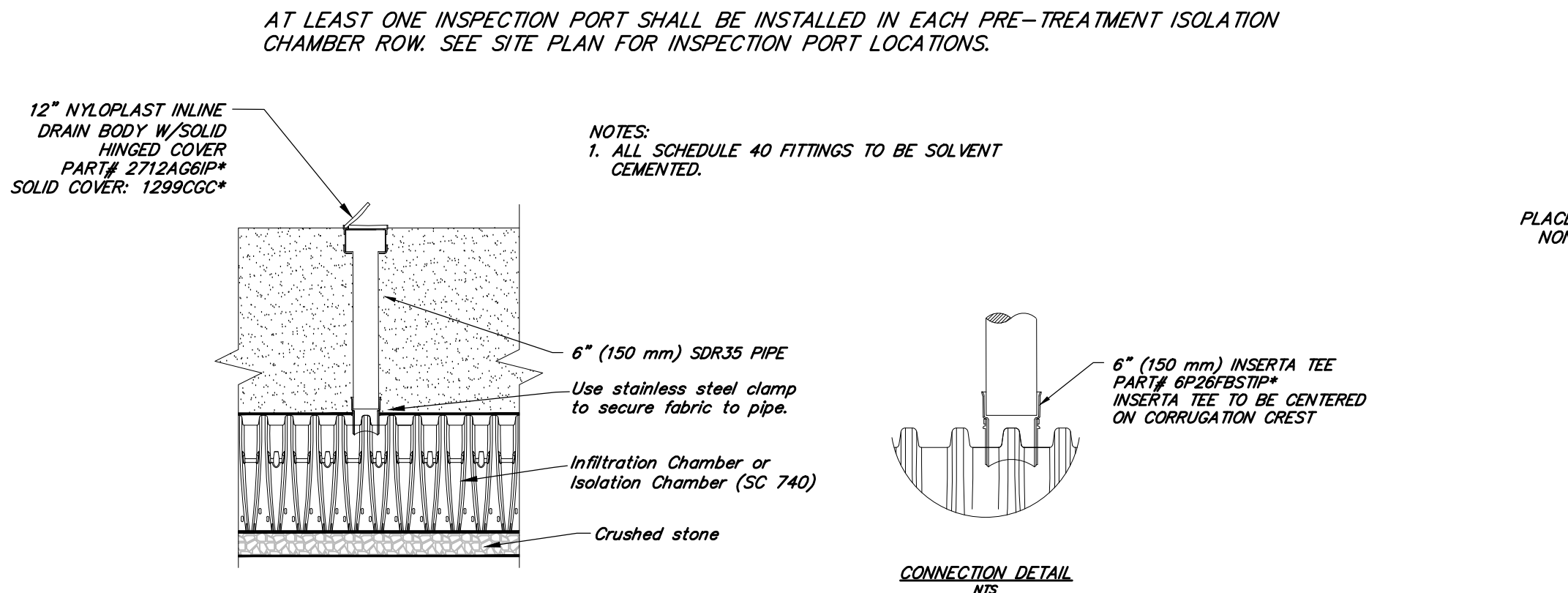
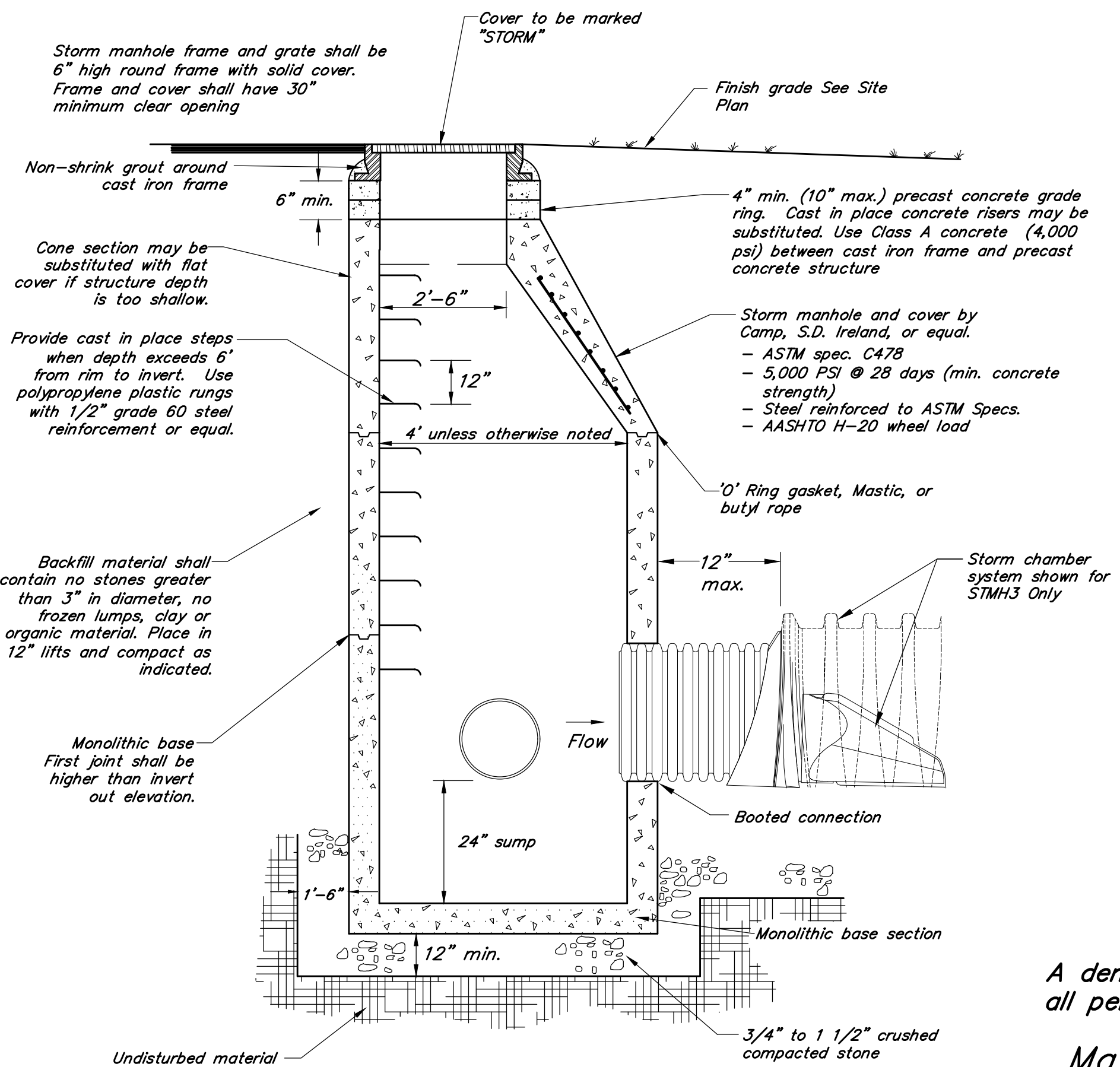
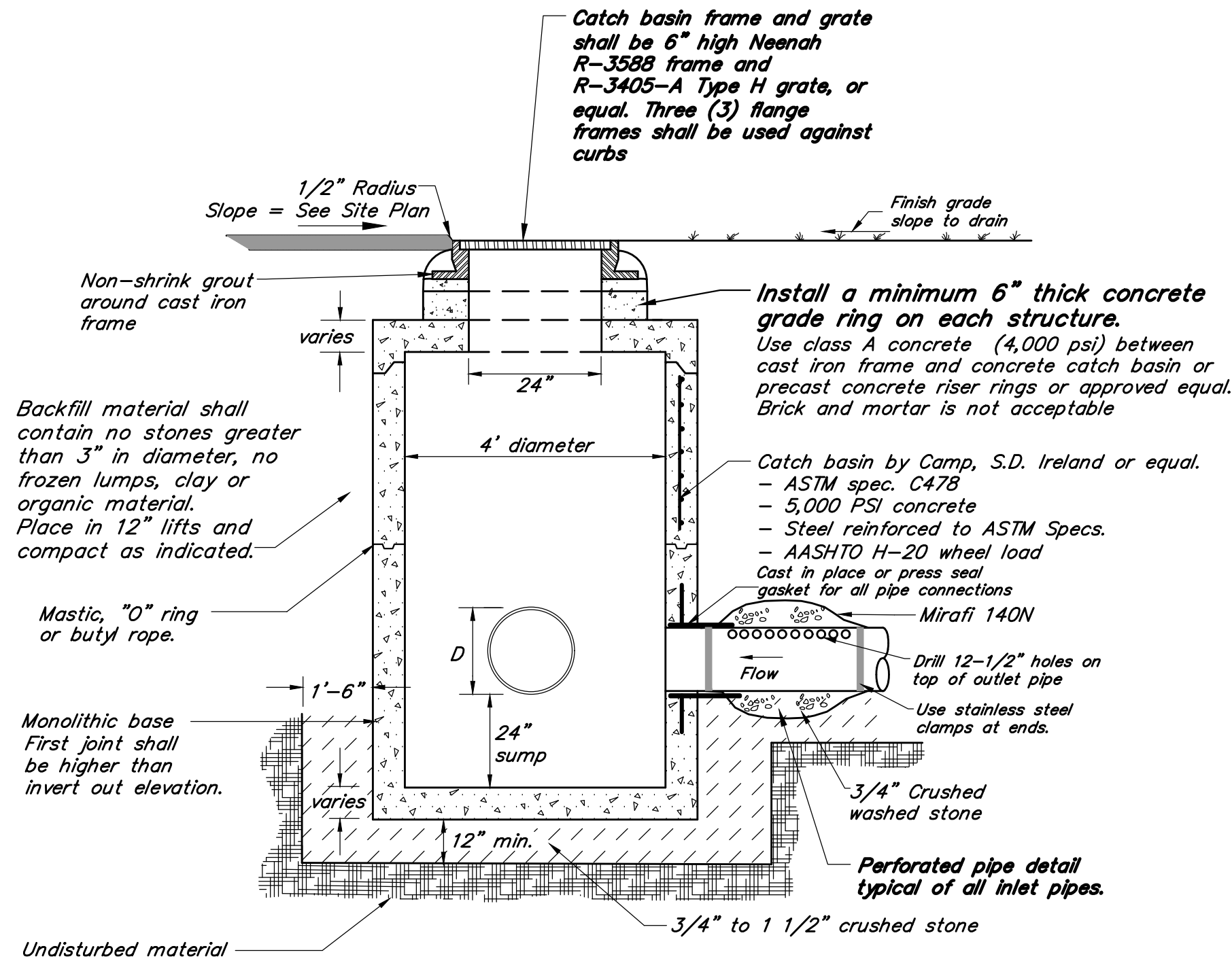
NOTE: These are staff comments only. The Development Review Board, who may approve, table, modify, or deny projects, makes decisions.

NO.	DESCRIPTION	DATE
1	Adjust Storm Chambers, Add STMH 4	3/2/20

JANNEF HOLDINGS, LLC
PROPERTY
326 College Street, Burlington, VT 05401

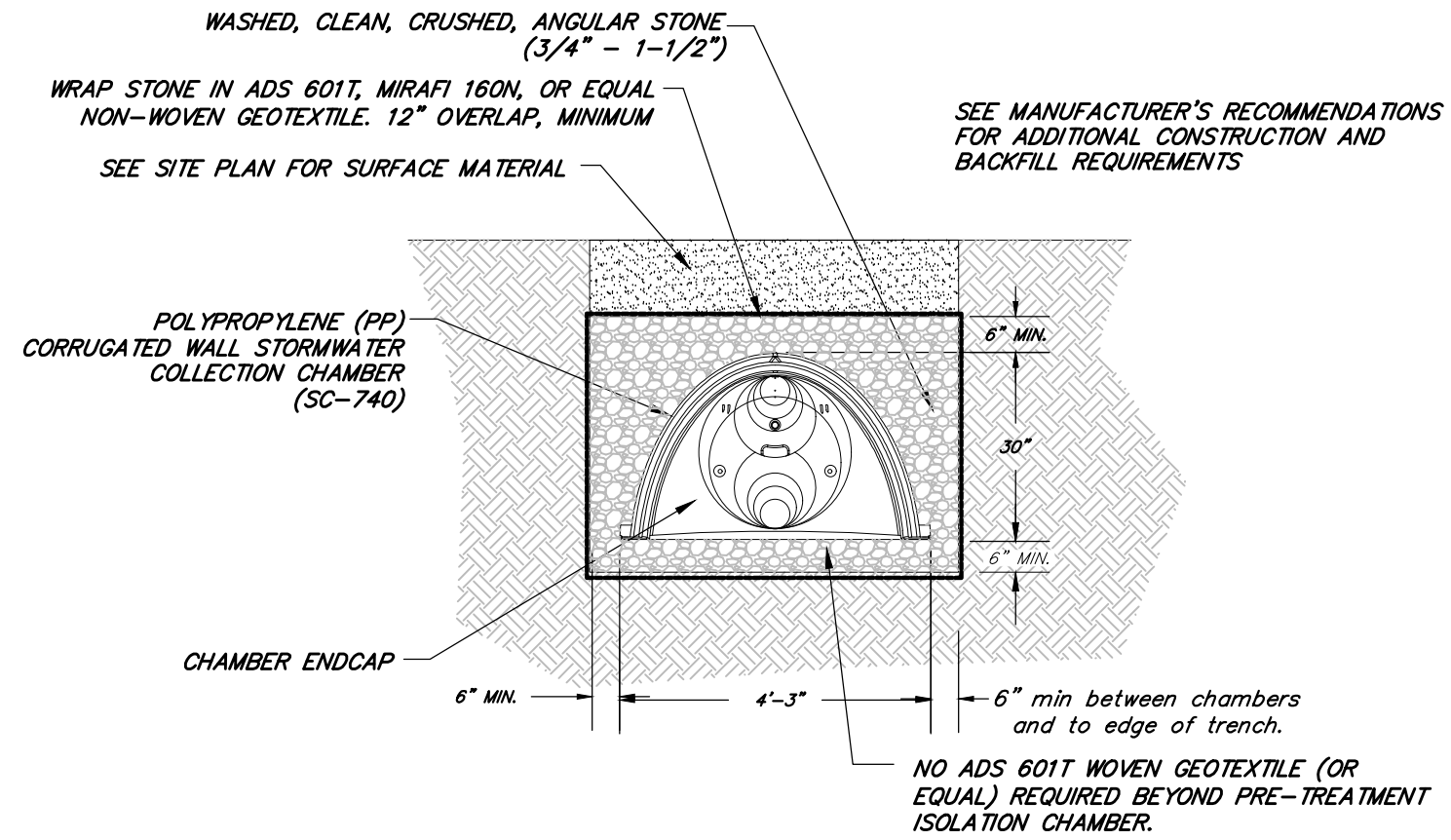
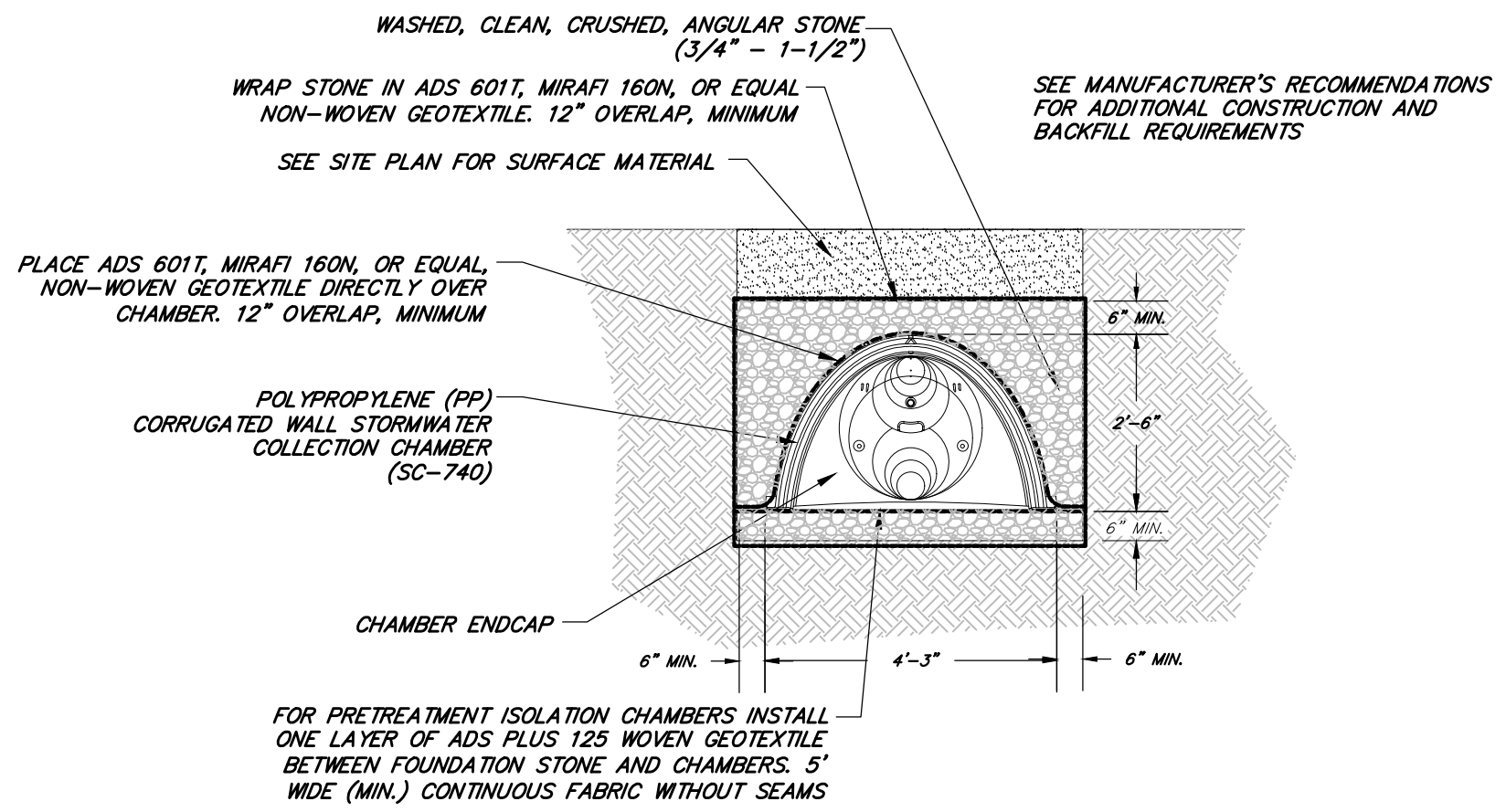
CIVIL
DETAILS

DRAWN BY:	
PROJECT NO:	18
DATE:	2/1
REVISED:	
SCALE:	As N



Infiltration System Construction Notes:

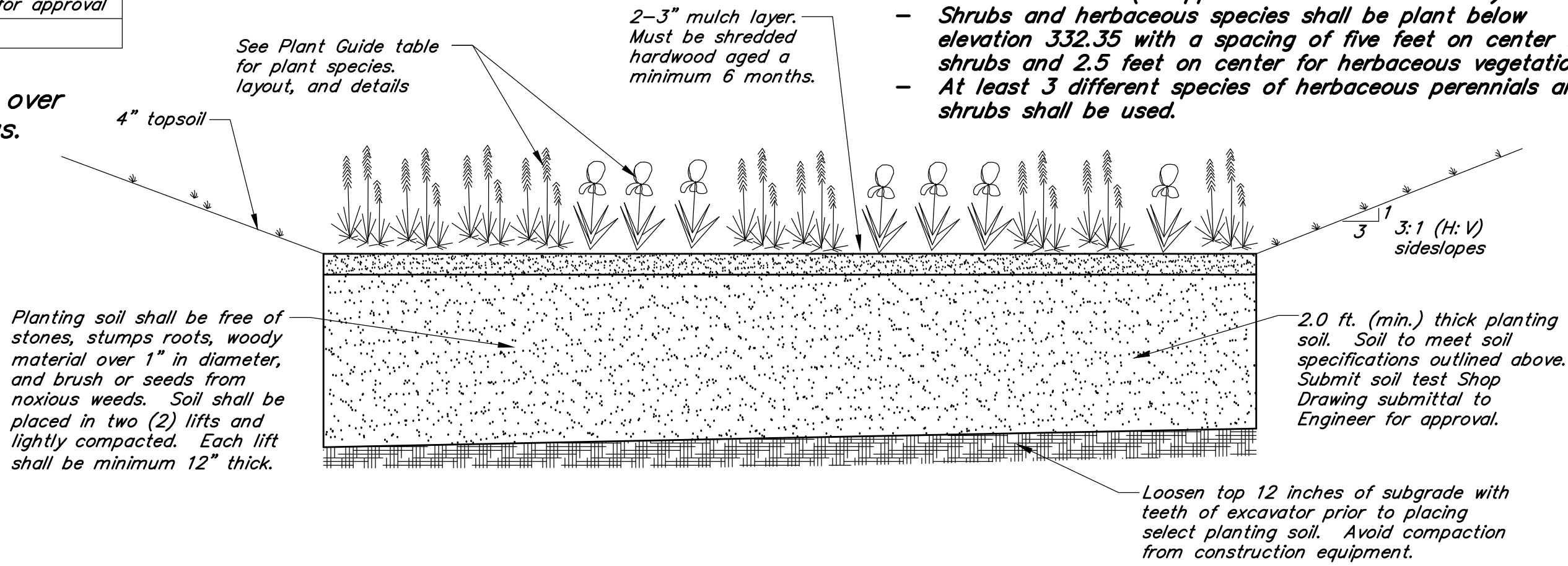
All upstream/upslope construction shall be complete and stabilized prior to allowing runoff to enter any infiltration systems. "Stabilized" shall mean paved surfaces, washed crushed stone, or vegetated areas that have established a dense and vigorous vegetative cover.



PLANT GUIDE FOR STORMWATER BIORETENTION AREAS

TREES	SHRUBS	HERBACEOUS SPECIES
Acer rubrum (Red Maple)	Hamamelis virginian (Witch Hazel)	Iris versicolor (Blue Flag)
Juniperus virginiana (Eastern Red Cedar)	Ilex verticillata (Winterberry)	Lobelia cardinalis (Cardinal Flower)
Platanus occidentalis (Sycamore)	Viburnum dentatum (Arrowhead)	Rudbeckia laciniata (Cutleaf Coneflower)
Salix nigra (Black Willow)	Alnus serrulata (Brook-side Alder)	Scirpus cyperinus (Woolgrass)
Pinus rigida (Pitch Pine)	Cornus stolonifera (Redosier Dogwood)	Scirpus pungens (Three Square Bulrush)

- From this list at least 8 trees shall be planted above elevation 332.35 (in approximate locations shown).
- Shrubs and herbaceous species shall be plant below elevation 332.35 with a spacing of five feet on center for shrubs and 2.5 feet on center for herbaceous vegetation.
- At least 3 different species of herbaceous perennials and shrubs shall be used.



BIORETENTION SOIL CHARACTERISTICS

Parameter	Value
pH range	5.2 to 7.00
Organic matter	3% maximum by volume
Soil (loamy sand, sandy loam, or loam)	
Sand	85% to 88% passing by weight
Silt	5% to 12% passing by weight
Clay	0% to 2% passing by weight
Mulch	Bark Mulch - Submit sample for approval
Available Phosphorus	0.2%

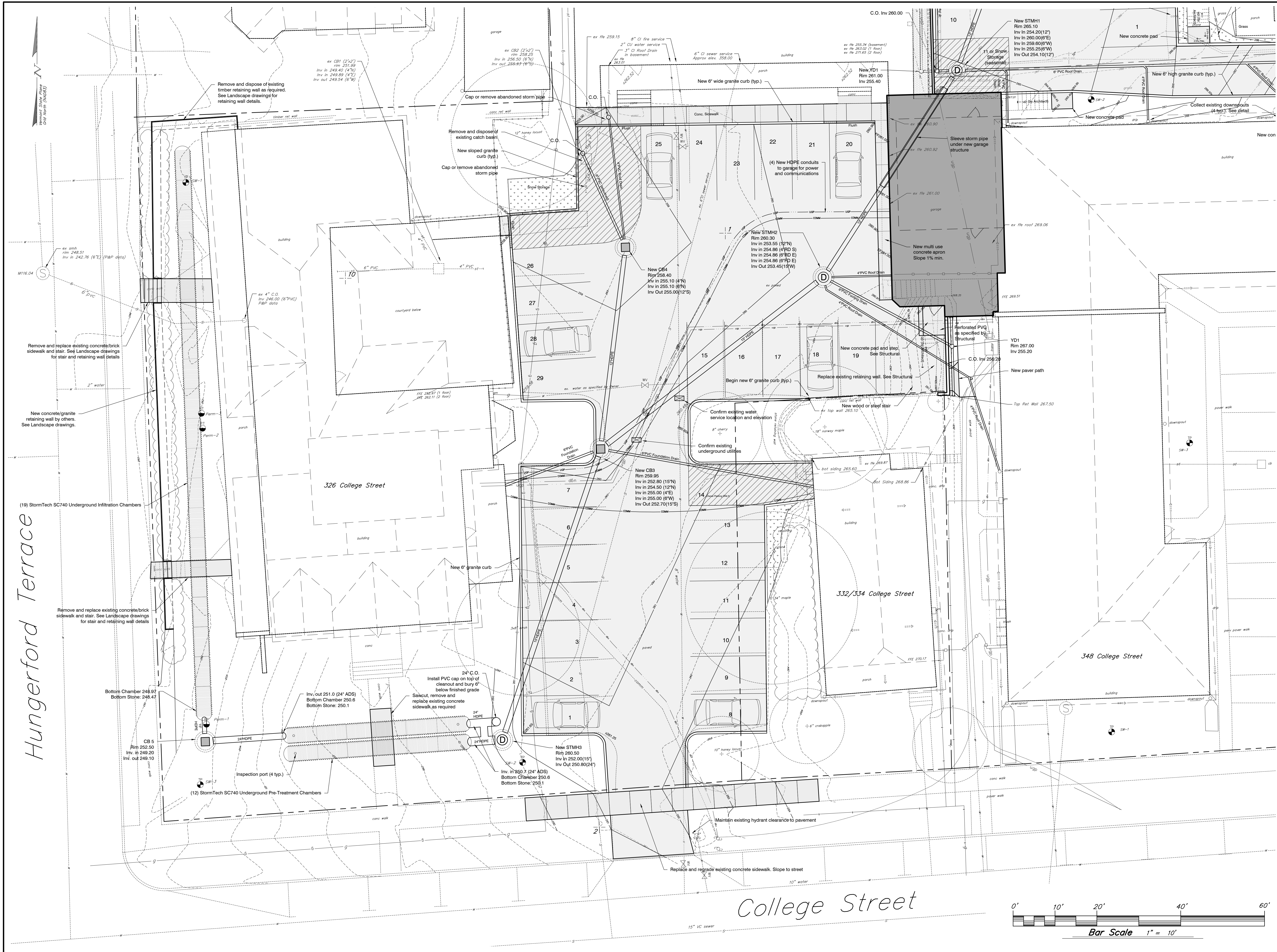
A dense and vigorous vegetative cover shall be established over all pervious drainage areas upslope of the bioretention areas.

Material Specifications:

Gravel Filter Layer - Material shall meet specifications outlined in the current VAOT Standard Specifications for Construction, Section 704.05, Crushed Gravel For Subbase. The crushed gravel shall meet the gradation specifications in Table 704.05B for Fine Graded (2" minus).

Type I Stone Fill - Material shall meet specifications outlined in the current VAOT Standard Specifications for Construction, Section 706.04(d). Stone for stone fill shall be approved, hard, blasted, angular rock other than serpentine rock containing the fibrous variety chrysotile (asbestos). Only Limestone, Dolomite, or Quartzite shall be allowed. The least dimension of stone shall be greater than 33% of the longest dimension. Stone fill shall be reasonably well graded from smallest to the maximum size stone specified so as to form a compact mass when in place.

The longest dimension of the stone shall vary from 1 to 12 inches, and at least 50% of the volume of the stone in place shall have a least dimension of 4 inches.





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NO.	DESCRIPTION	DATE
1	Adjust Storm Chambers	3/2/23

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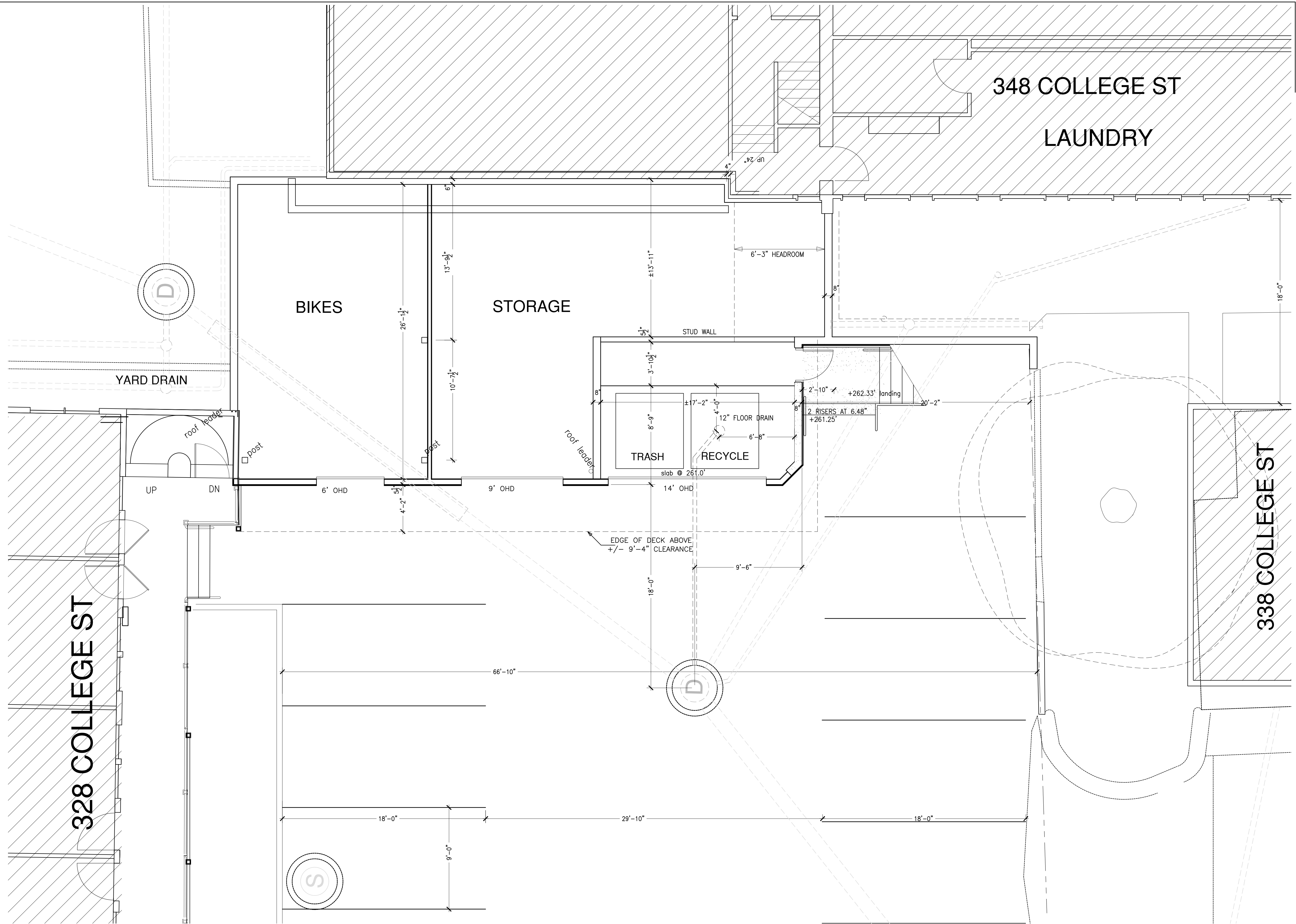
CIVIL SITE PLAN

DRAWN BY:	SLM
PROJECT NO:	18213
DATE:	2/13/23
REVISED:	
SCALE:	1" = 10'

SP-3

Project Phase
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18213/DWGS/18213 Farrell 326 College Site Base.dwg



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NOTES:

-- TITL.BLOCK --

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GUILLOT VIVIAN VIEHMANN ARCHITECTS, INC. Burlington, VT 802.862.9631

DATE:
31 DEC 202

SCALE:
1/8" = 1'-0"

DRAWING:
FLOOR PLAN

SHEET:
A1



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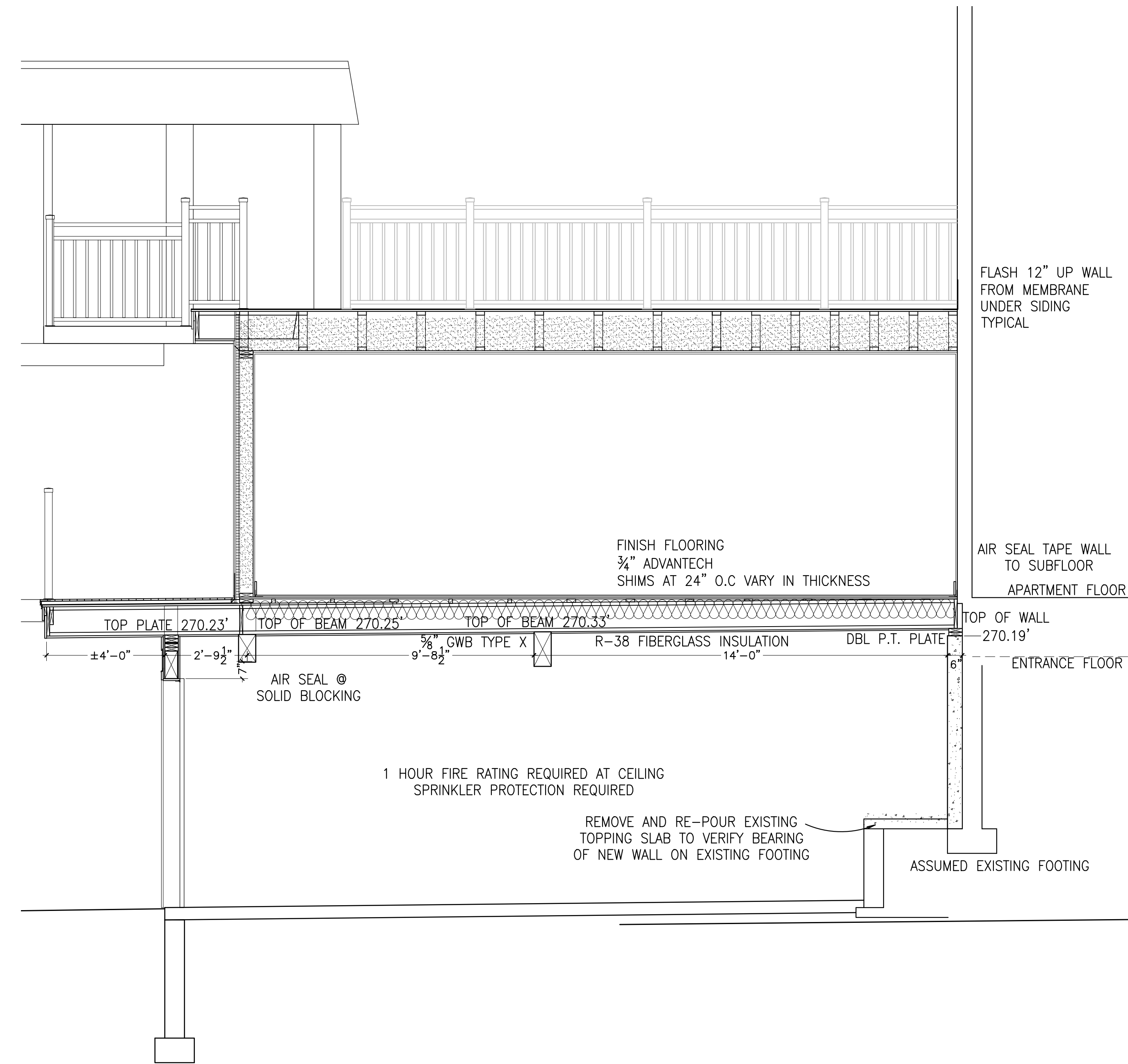
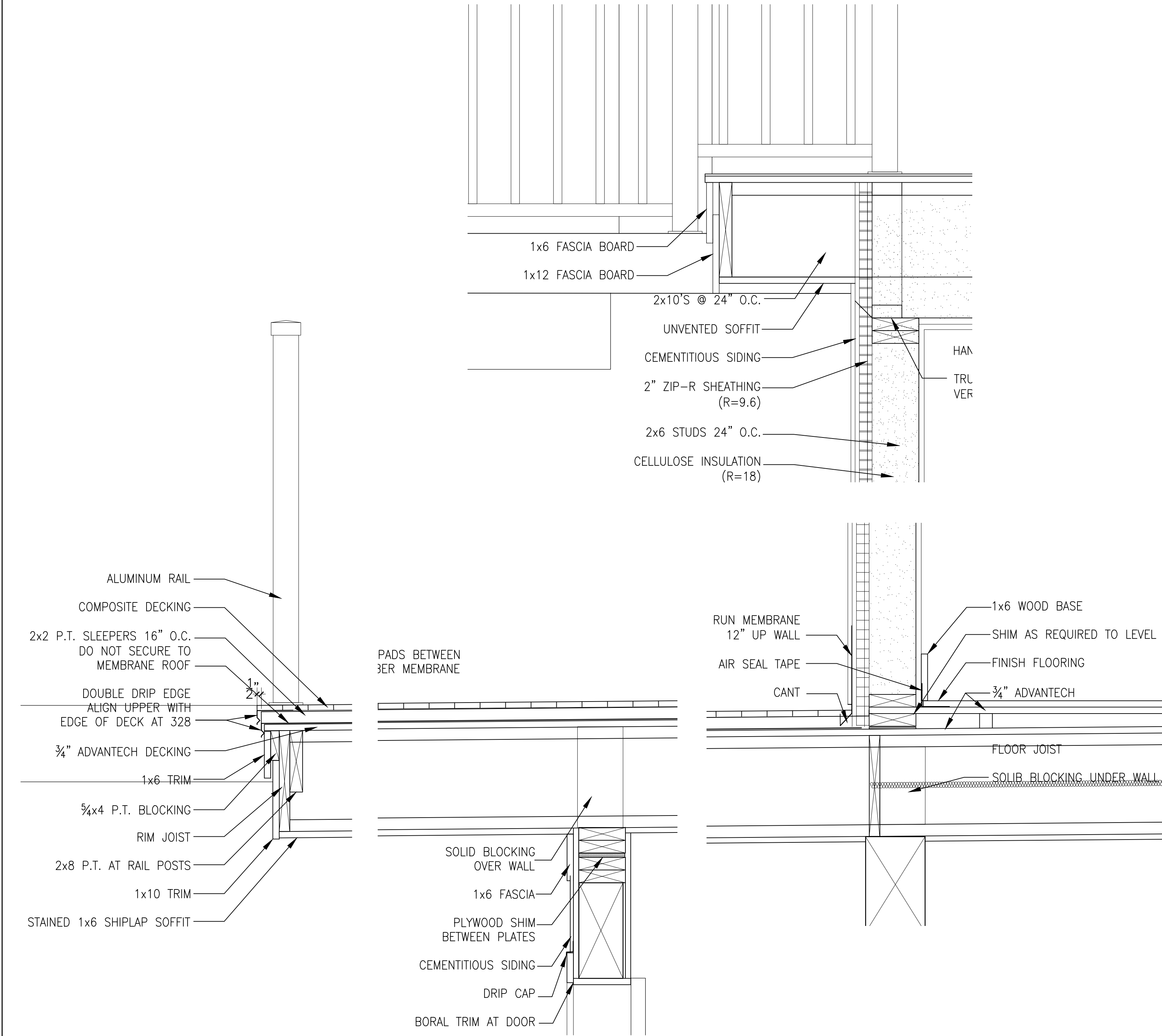
College Street Apartments
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DATE:
31 DEC 202

SCALE:
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DRAWING:
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SHEET:
A2



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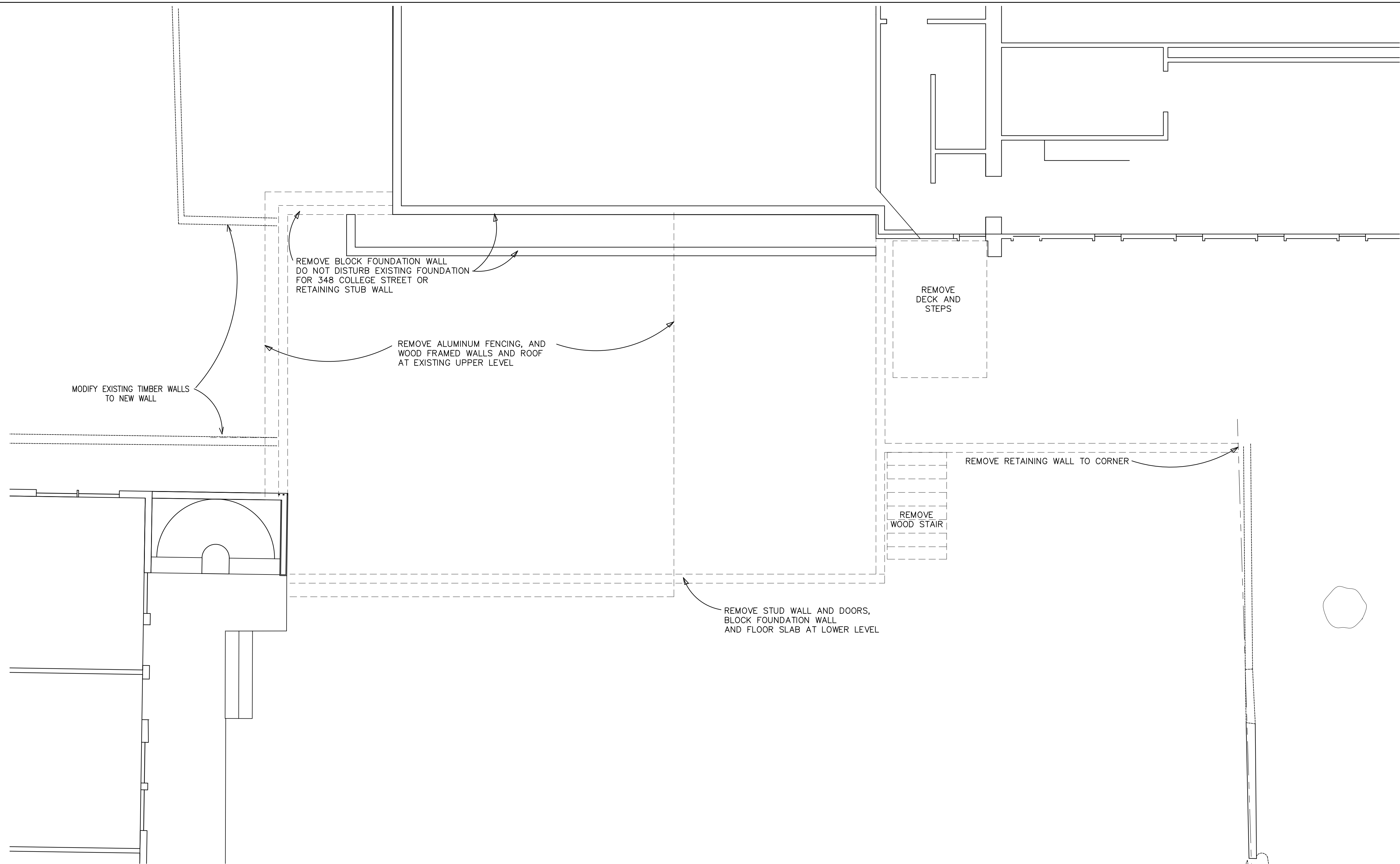
College Street Apartments
GARAGE REPLACEMENT PROJECT
GUILLOT VIVIAN VIEHMANN ARCHITECTS, INC. Burlington, VT 802.862.9631

DATE:
31 DEC 202

SCALE:
1/8" = 1'-0"

DRAWING:
SECTIONS

SHEET:
A3



STRUCTURE TO BE REMOVED



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File: ..\..\..\Desktop\Files\Projects\Farrel\College Street\Connector\PHOTO FOR DEMO PLAN.pdf
Sheet: 1

EXISTING CONDITION PHOTO

DECK AND STEP TO BE REMOVED

WALL TO BE REMOVED

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GARAGE REPLACEMENT PROJECT

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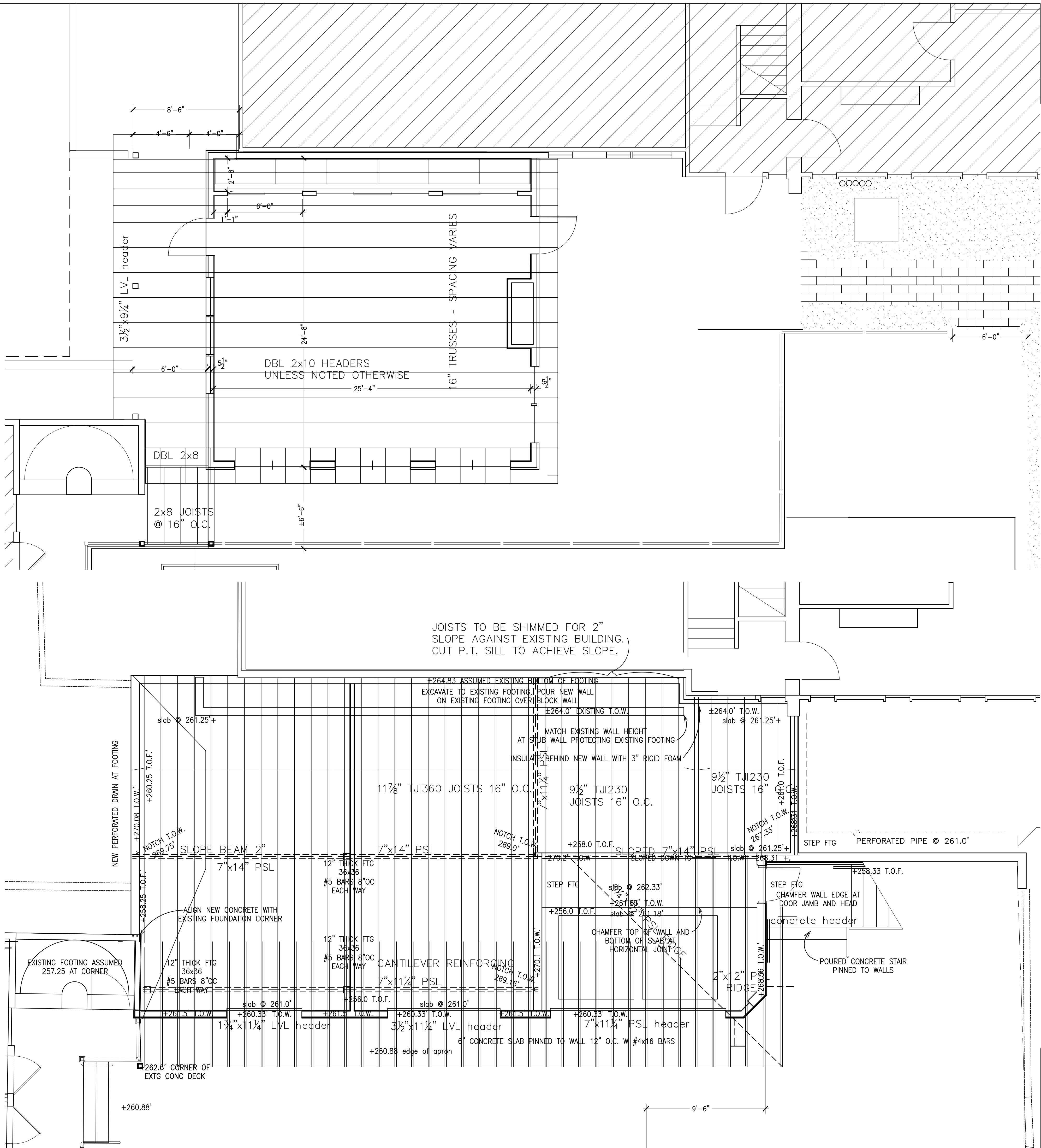
SCALE:
1/8" = 1'-0"

DRAWING:
DEMO PLAN

SHEET:
D1

9631
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DATE:	31 DEC 202
SCALE:	1/8" = 1'-
DRAWING:	CONCRETE PLAN
SHEET:	C1



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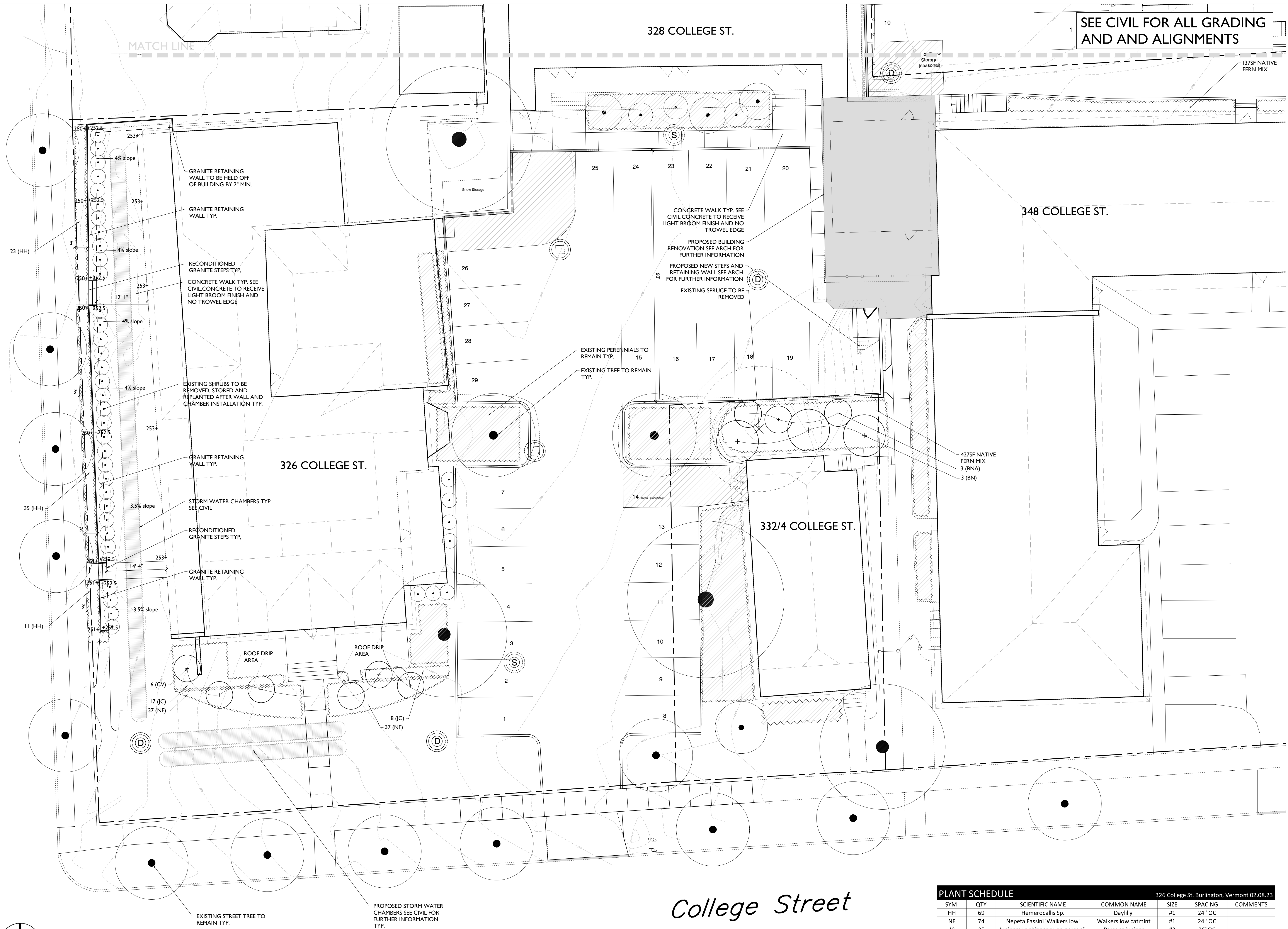
College Street Apartments
GARAGE REPLACEMENT PROJECT
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DATE:
31 DEC 202

SCALE:
1/8" = 1'-0"

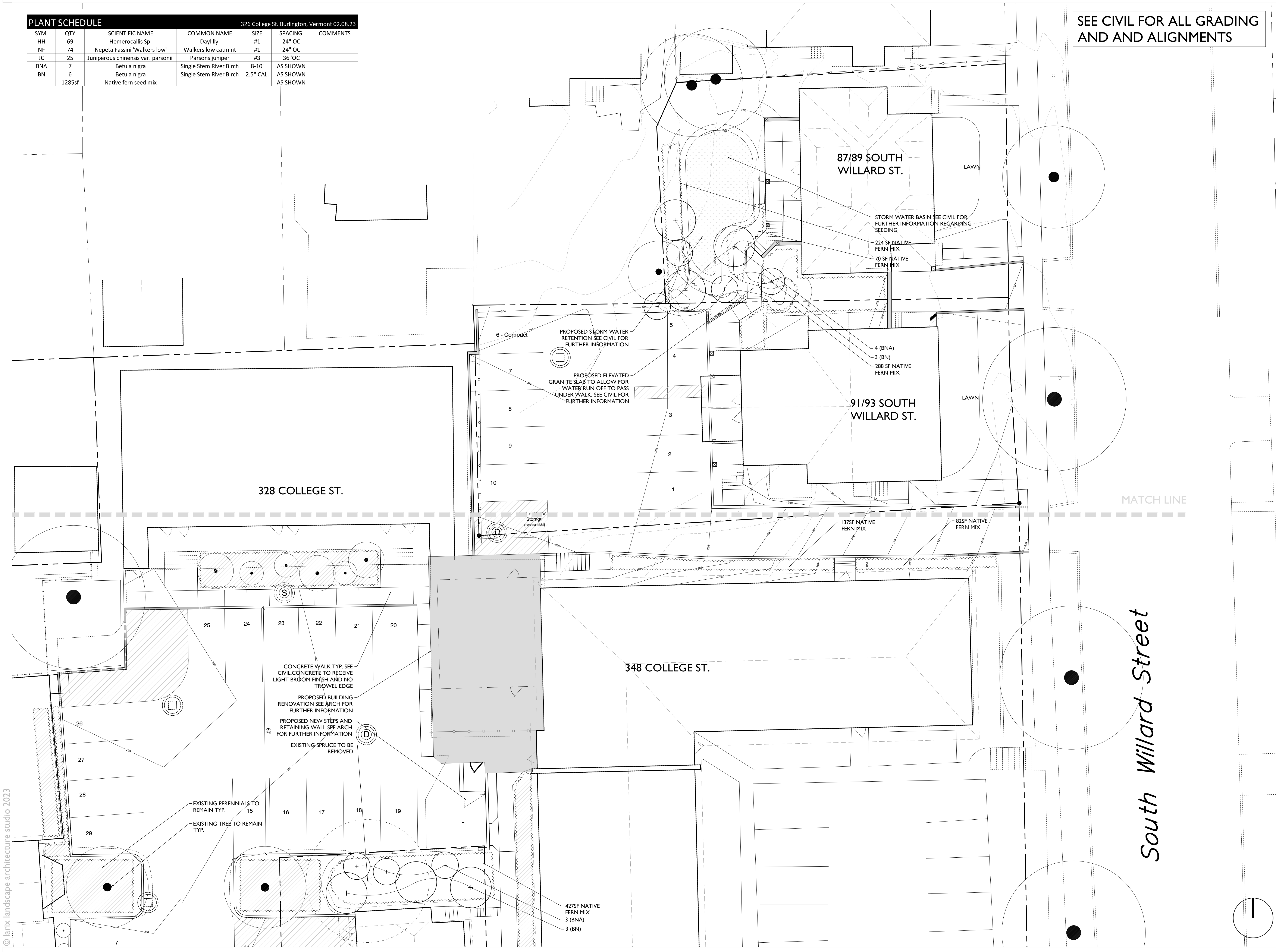
DRAWING:
FRAMING
PLANS

SHEET:
F1



PLANT SCHEDULE				326 College St. Burlington, Vermont 02.08.23		
SYM	QTY	SCIENTIFIC NAME	COMMON NAME	SIZE	SPACING	COMMENTS
HH	69	Hamamelis Sp.	Daylily	#1	24" OC	
NF	74	Nepeta Fassinii 'Walkers low'	Walkers low catmint	#1	24" OC	
HC	25	Juniperus chinensis var. parsonii	Parsons Juniper	#3	36" OC	
BNA	7	Betula nigra	Single Stem River Birch	8-10"	AS SHOWN	
BN	6	Betula nigra	Single Stem River Birch	2.5" CAL.	AS SHOWN	
	1285sf	Native fern seed mix			AS SHOWN	

PLANT SCHEDULE						
326 College St. Burlington, Vermont 02.08.23						
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	1285sf	Native fern seed mix			AS SHOWN	



SEE CIVIL FOR ALL GRADING
AND AND ALIGNMENTS

larix
landscape
architecture
studio

PROGRESS SET
NOT FOR
CONSTRUCTION

326 COLLEGE ST.
Jannef holdings
Burlington ,VT

revisions
date: 020823

landscape
plan
scale: 1"=10'-0"

L100.1



GENERAL NOTES

This plan is not a boundary survey. Boundary information shown was taken from a drawing entitled "Plan of Proposed Improvements, Jannef, Inc." by Chase and Chase, dated 8/25/05.

Existing surface features information shown is based on a survey conducted by Krebs and Lansing in 8/18, 7/19 and 3/22 and information provided by the Owner.

Elevations are based on the NAVD 88 vertical datum. Topographic survey conducted by Krebs and Lansing, 2016.

Project Horizontal Coordinates derived from GPS observation using reference frame NAD83 (2011) 2010.00 epoch. Project vertical datum based on NAVD 88 (Geoid 12A).

Utility information shown is based on the existing features survey above and information provided by the Owner.

Underground utilities are approximate and not warranted to be exact or complete. Contractor shall contact New England Dig Safe prior to any excavations.

The location of underground electrical lines which service the site lights are not shown on the Civil Plans. Other electrical lines may exist which are not shown on this plan.

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326 College Street, Burlington, VT

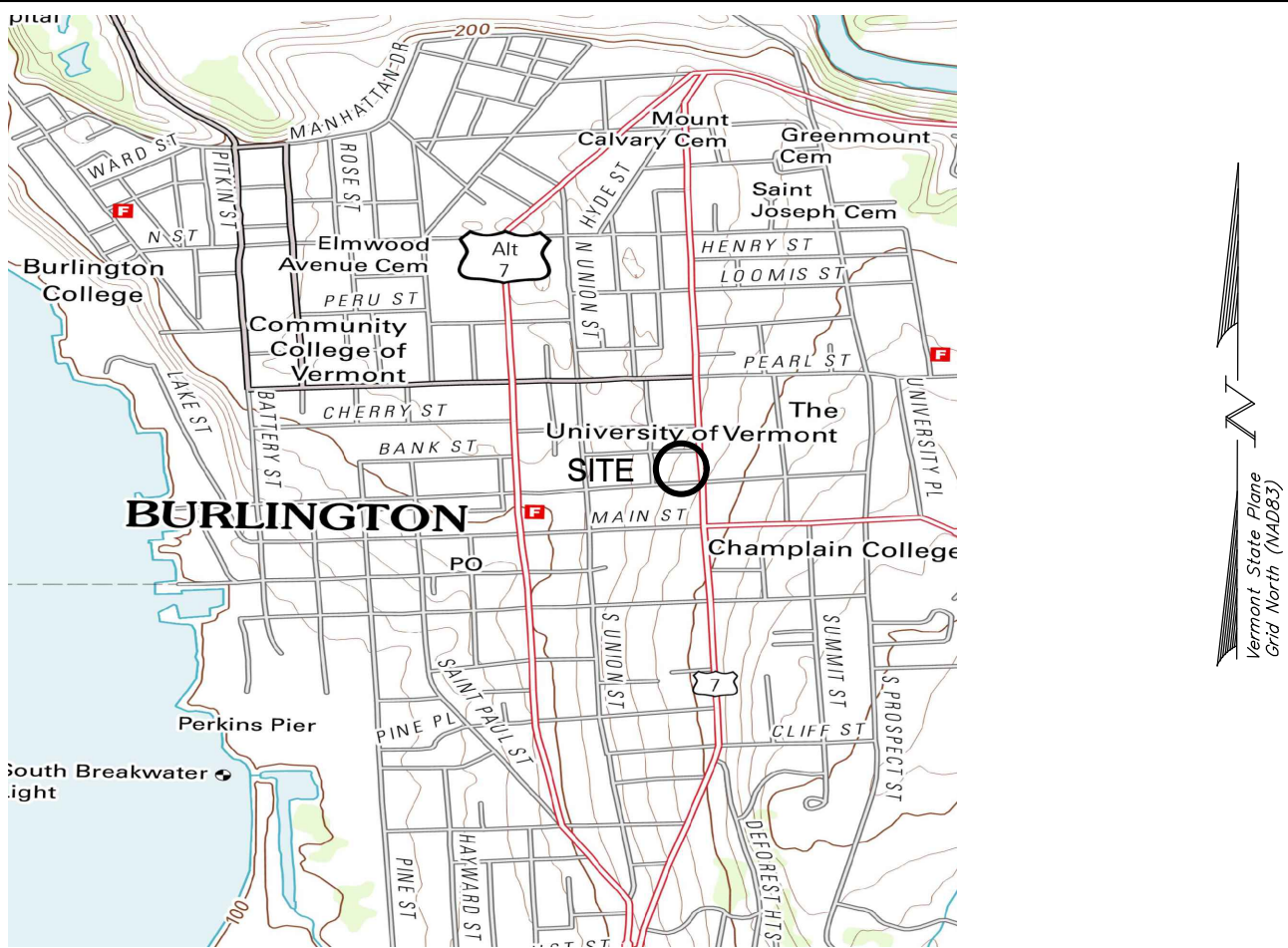
EXISTING FEATURES
SITE PLAN

DRAWN BY:	SLM
PROJECT NO:	18213
DATE:	2/13/23
REVISED:	
SCALE:	1" = 20'

EX-1

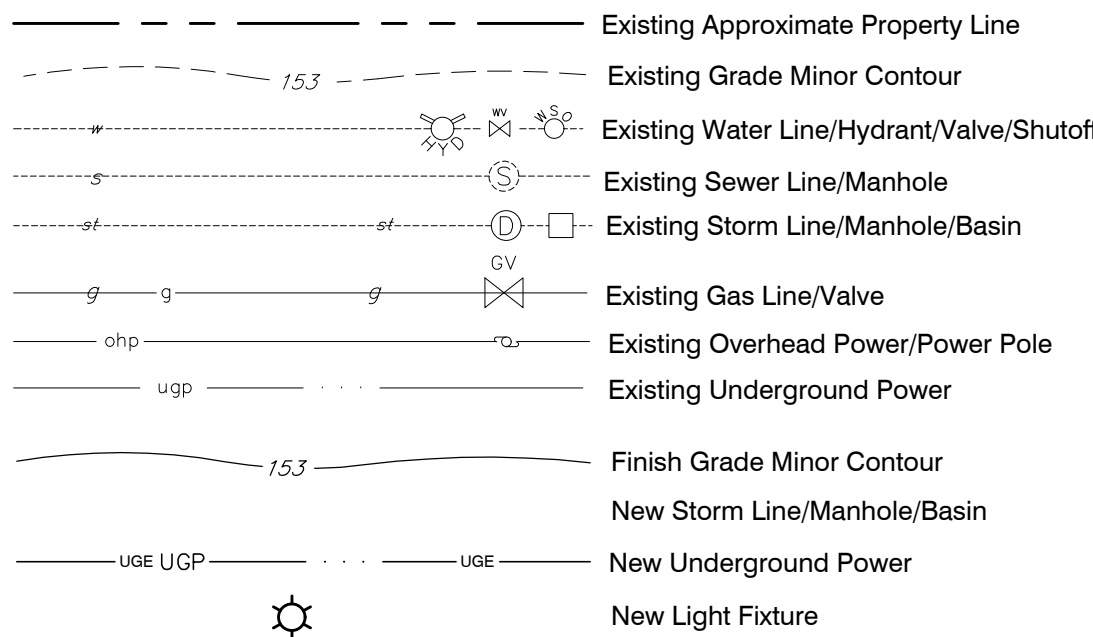
Project Phase
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18213/DWGSS/18213 Farrell 326 College Site Boss.dwg



LOCUS

Legend



NOTES

- The Contractor shall be responsible for repairing all disturbed areas back to original condition, including but not limited to curbing, sidewalks, road, parking areas, landscaping, site lighting, electrical, and etc. All asphalt shall be sawcut prior to paving.
- All stumps, rock, and other non-approved trench backfill material discovered during construction is the exclusive property of the Contractor and shall be removed from the property and disposed of in a State approved disposal location. Contractor shall review soil investigation report and soils logs prior to bid. Any soil reused as fill under roads and applicable concrete sidewalks shall pass a subgrade proof roll with a loaded tandem. Fill soils that do not pass a subgrade proof roll shall be removed and replaced at the Contractor's expense.
- All passing sieve, proctor, and compaction testing expenses shall be paid by Owner. Testing coordination, all other required testing, and expenses for failed tests shall be the Contractor's responsibility.
- The Contractor shall contact the Burlington Electric Department prior to any work in the vicinity of the existing electric conduits.
- Contractor shall be responsible for all "As-built" measurement and drafting requirements as outlined on the Detail Sheets. Progress Record Drawings shall be submitted to the Engineer as indicated in the Record Drawing specifications.
- See Erosion Control Plans for locations of staging / storage areas.
- The Contractor shall be responsible for all construction barrier/safety fencing required for the project.
- Definition of "Preconstruction Excavation" for these contract documents shall be:
The site contractor shall expose utilities and obtain all necessary information, including but not limited to, invert elevation, size, depth, pipe type, joint location, etc. Contractor shall transit survey the location and elevations of the utility. Contractor shall provide the engineer with sketches indicating horizontal and vertical information of pipe or conduit type and size, cross-section information, concrete encasement information (top and bottom elevations, width, etc.), joint location, etc. of each required existing underground utility. Accuracy of horizontal location is within 1 foot, and accuracy of vertical elevation is within 0.02 ft. (1/4"). Coordinate all excavation with City, Owner, and Engineer.

- Preconstruction excavations shall occur prior to ordering structures and prior to utility construction to facilitate redesign and/or design confirmation.
- The location of the preconstruction excavation symbols does not necessarily indicate the location of the buried utility. It is the responsibility of the Contractor to find and expose the utility.
 - Contractor shall be responsible for importing topsoil as required to complete the project at no additional charge to Owner.
 - The Contractor shall be responsible for all signage and fencing necessary to providing safe vehicular and pedestrian access through or around the site during construction.
 - All sewer pipes shall be PVC SDR 35 unless otherwise noted. PVC sewer pipe shall contain no recycled content.
 - Core and boot all existing structures unless otherwise noted.
 - All new catch basins and sanitary sewer manhole must have one 6" precast concrete grade ring.
 - All waterline pipe shall be Class 52 ductile iron. All bends and fittings shall have redi-mix cast in place thrust blocks
 - Temporary groundwater, stormwater, and sewer by-pass pumping and/or diversion is the responsibility of the Contractor. The Contractor is responsible for providing all necessary pumps and equipment to perform the work. Overnight pumping is not allowed.
 - All sidewalks shall have 2% maximum cross slope.
 - Buried natural gas is shown for alignment purposes only. Contact Vermont Gas Systems for design and details of new gas line. Contractor shall be responsible for the excavation, backfill, and restoration for the construction of the natural gas lines. Vermont Gas Systems will provide the piping, labor to install, and testing for the new gas main. Coordinate work and all gas shut down procedures with the Owner.
 - Removal of all erosion control matting and inlet protection after the grass is established is the responsibility of the Contractor.
 - At the end of the project, clean the sumps of all new and existing catch basins and storm manholes within the project limits.
 - Electrical and lighting lines are shown for illustrative/coordination purposes only. Refer to Electrical plans and specifications for design.
 - Mechanical piping is shown for illustrative/coordination purposes only. Refer to Mechanical plans and specifications for design.
 - Refer to Plumbing plans for sewer and storm design within five feet of the building.
 - Refer to Plumbing and/or Fire Protection plans for waterline design within five feet of building.
 - Landscape Plans are for Landscape design only. Refer to Civil Site Plans for site locations.
 - When the plans call for removing pavement or sidewalk and establishing grass, the Contractor shall remove gravel and fabric, fill with approved material to 4" below finish grade and add topsoil, seed and mulch.

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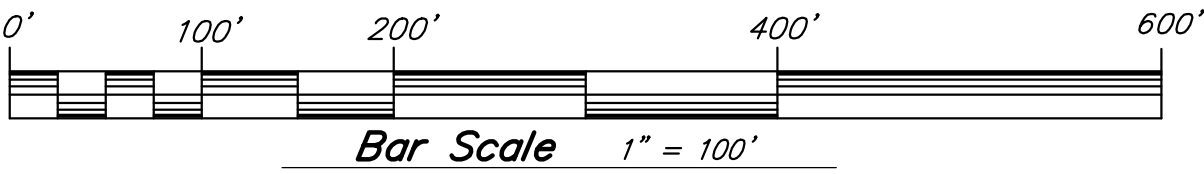
Elevations are based on the NAVD 88 vertical datum. Topographic survey conducted by Krebs and Lansing, 2016.

Project Horizontal Coordinates derived from GPS observation using reference frame NAD83 (2011) 2010.00 epoch. Project vertical datum based on NAVD 88 (Geoid 12A).

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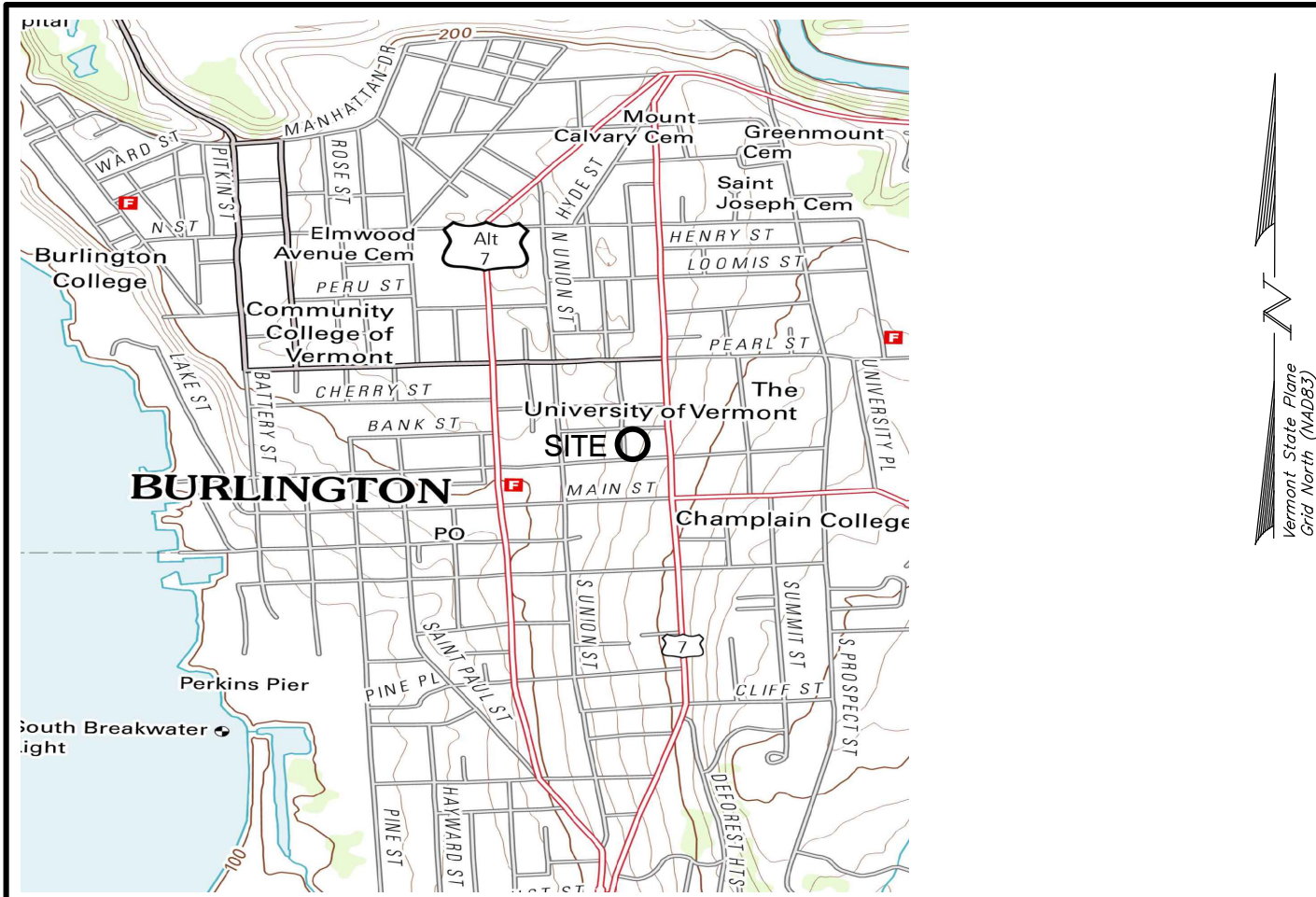
OVERALL
SITE
PLAN

DRAWN BY:	SLM
PROJECT NO:	18213
DATE:	2/13/23
REVISED:	
SCALE:	1" = 100'

SP-1

Project Phase
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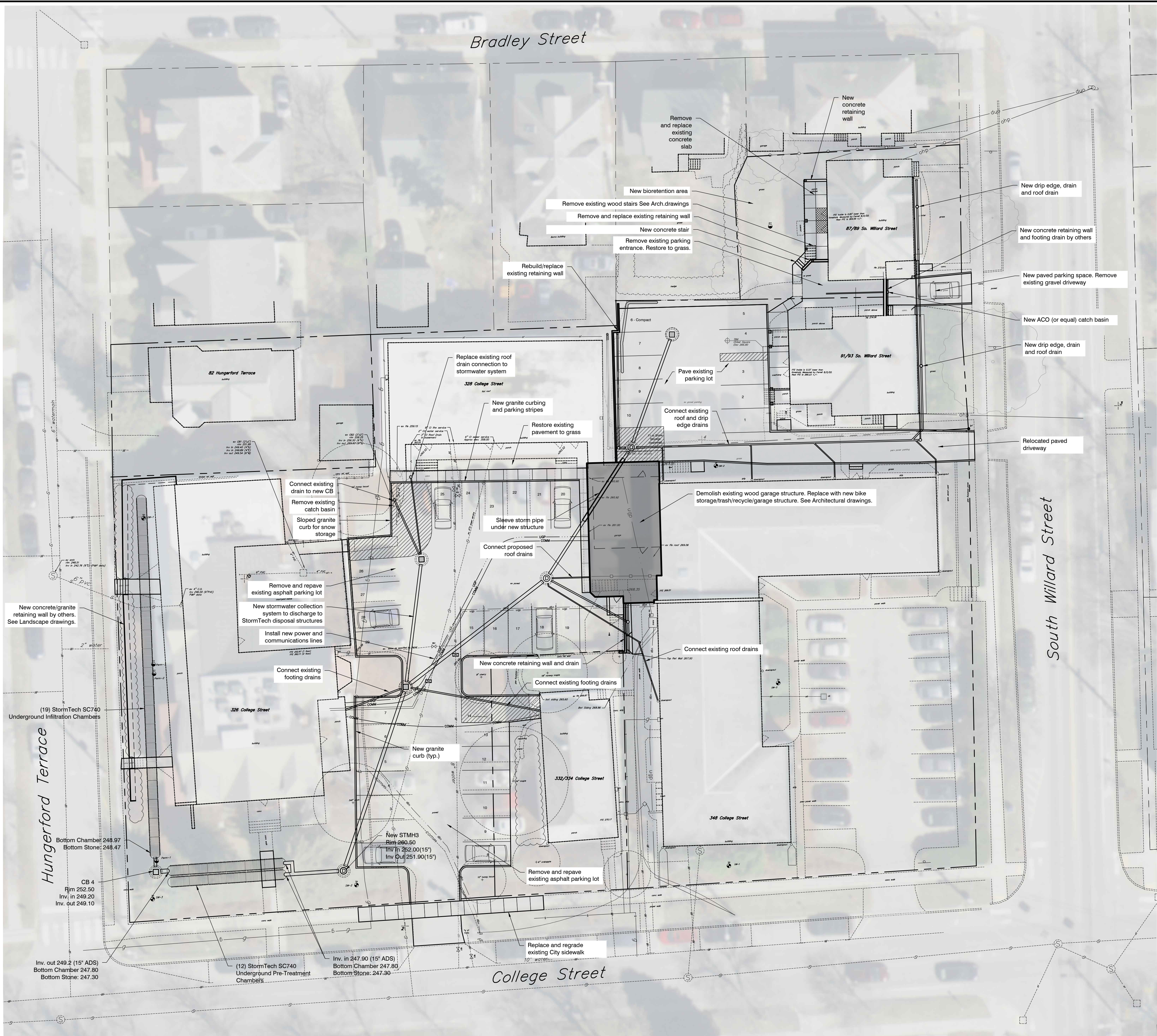
18213/DWGS/18213_Farrell_326_College_Site_Base.dwg



LOCUS

Legend

- Existing Approximate Property Line
- Existing Grade Minor Contour
- Existing Water Line/Hydrant/Valve/Shutoff
- Existing Sewer Line/Manhole
- Existing Storm Line/Manhole/Basin
- Existing Gas Line/Valve
- Existing Overhead Power/Power Pole
- Existing Underground Power
- Finish Grade Minor Contour
- New Storm Line/Manhole/Basin
- New Underground Power
- New Light Fixture



GENERAL NOTES

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PROPERTY
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CIVIL
SITE PLAN

DRAWN BY:	SLM
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PROJECT NO:	18213
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DATE:	2/13/23
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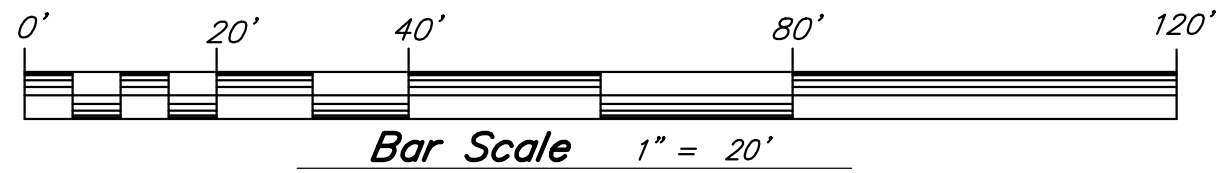
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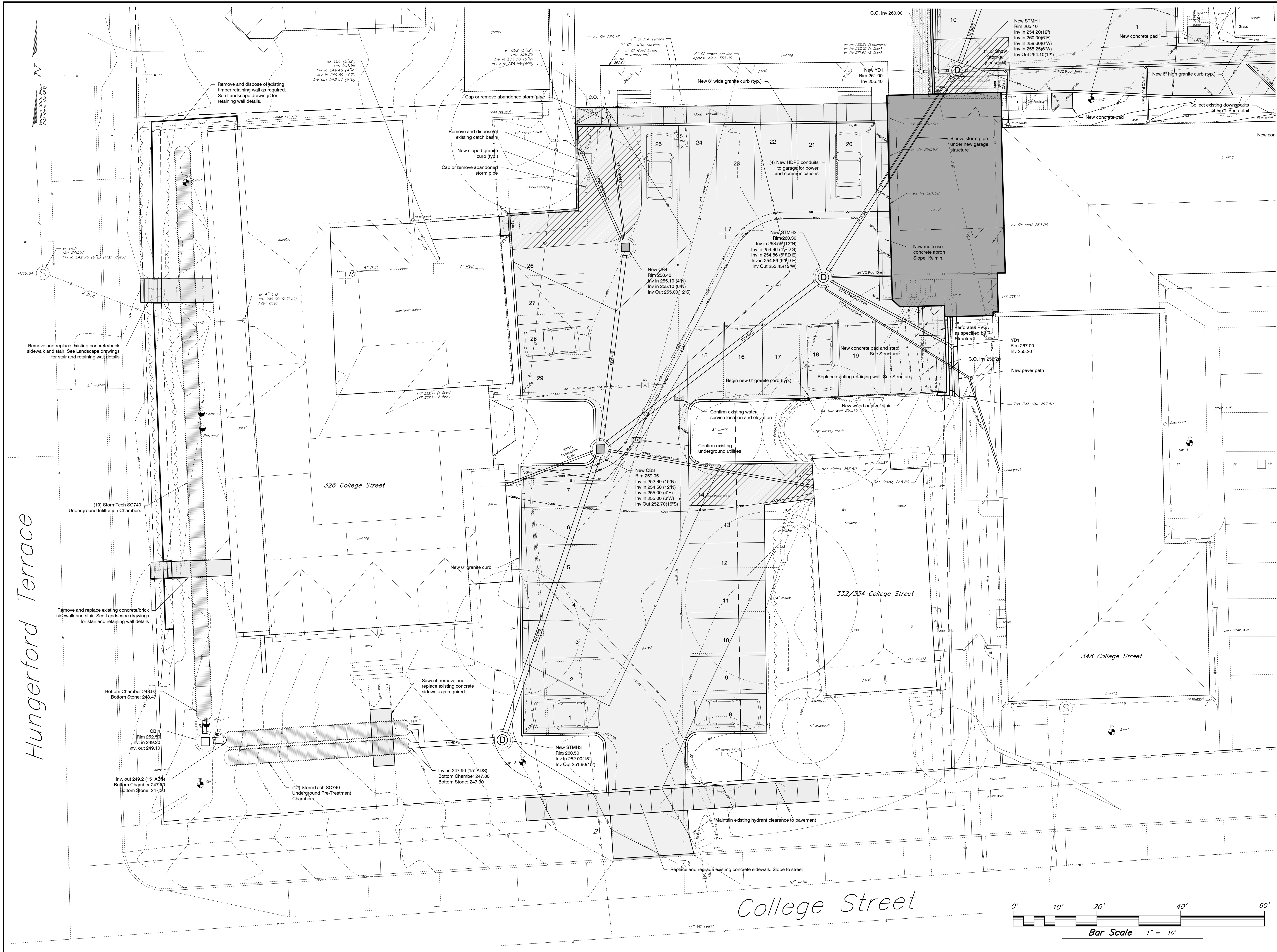
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SP-2

Project Phase
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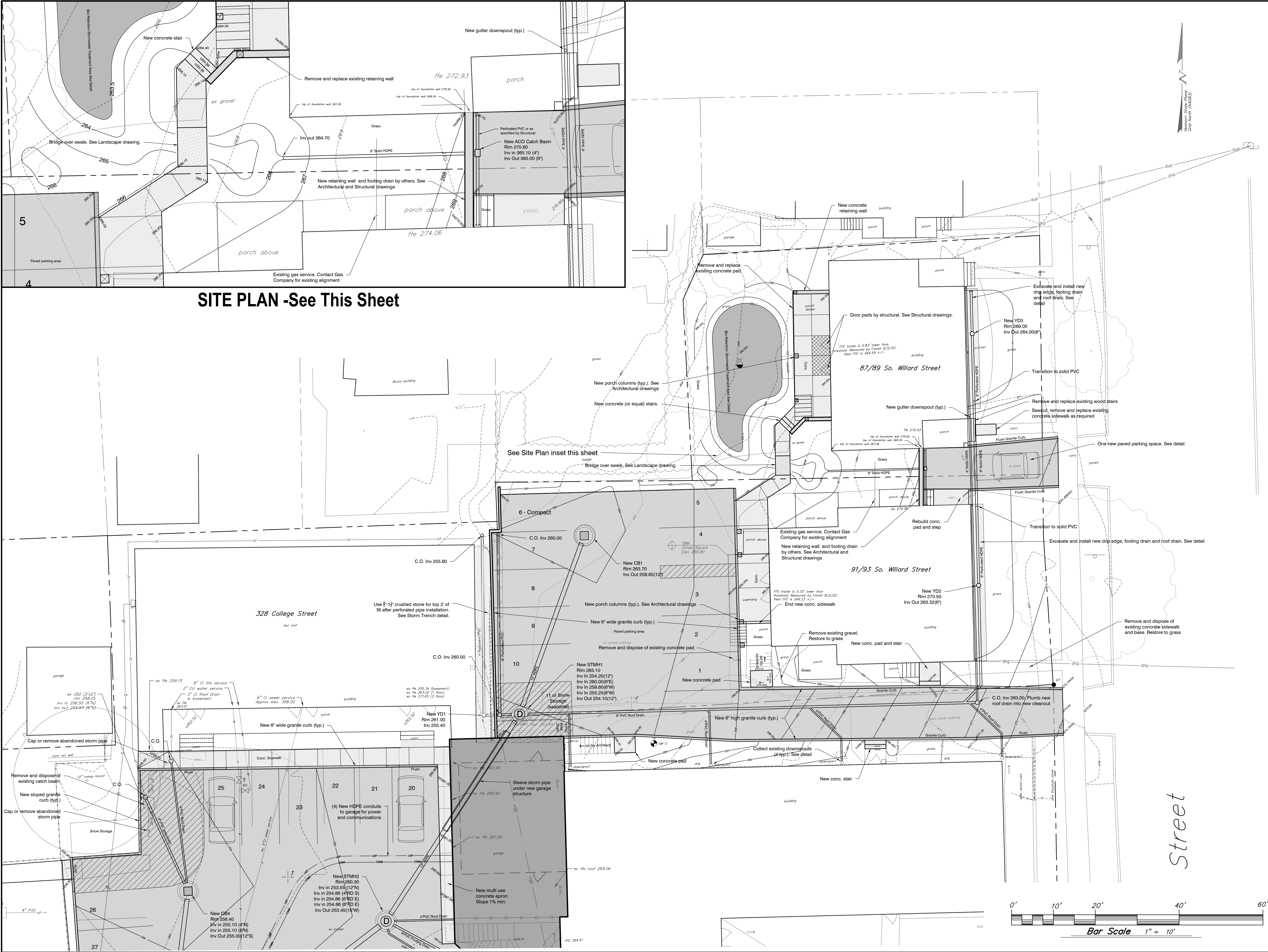
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CIVIL SITE PLAN		
DRAWN BY:		SLM
PROJECT NO:		18213
DATE:		2/13/23
REVISED:		
SCALE:		1" = 10'
SP-3 Project Phase PERMIT DRAWINGS ONLY. NOT FOR CONSTRUCTION		
18213/DWG5/18213 Farrell 326 College Site Base.dwg		



SITE PLAN -See This Sheet

See Site Plan inset this sheet

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CIVIL
SITE
PLAN

DRAWN BY:	SLM
PROJECT NO:	18213
DATE:	2/13/23
REVISED:	
SCALE:	1" = 10'

SP-4
Project Phase
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Verti-Block® Retaining Walls

Hollow, interlocking blocks

Sized for residential and
commercial use

Innovative engineering for
unparalleled strength

Easy installation with
smaller equipment

A beautiful, cost-effective
earth retaining solution

Right look.
Right strength.
Right size.



www.verti-block.com

Interlocking Verti-Blocks

Verti-Block interlocks with a unique male-and-female design. You'll get unmatched strength with more flexibility for landscape applications.



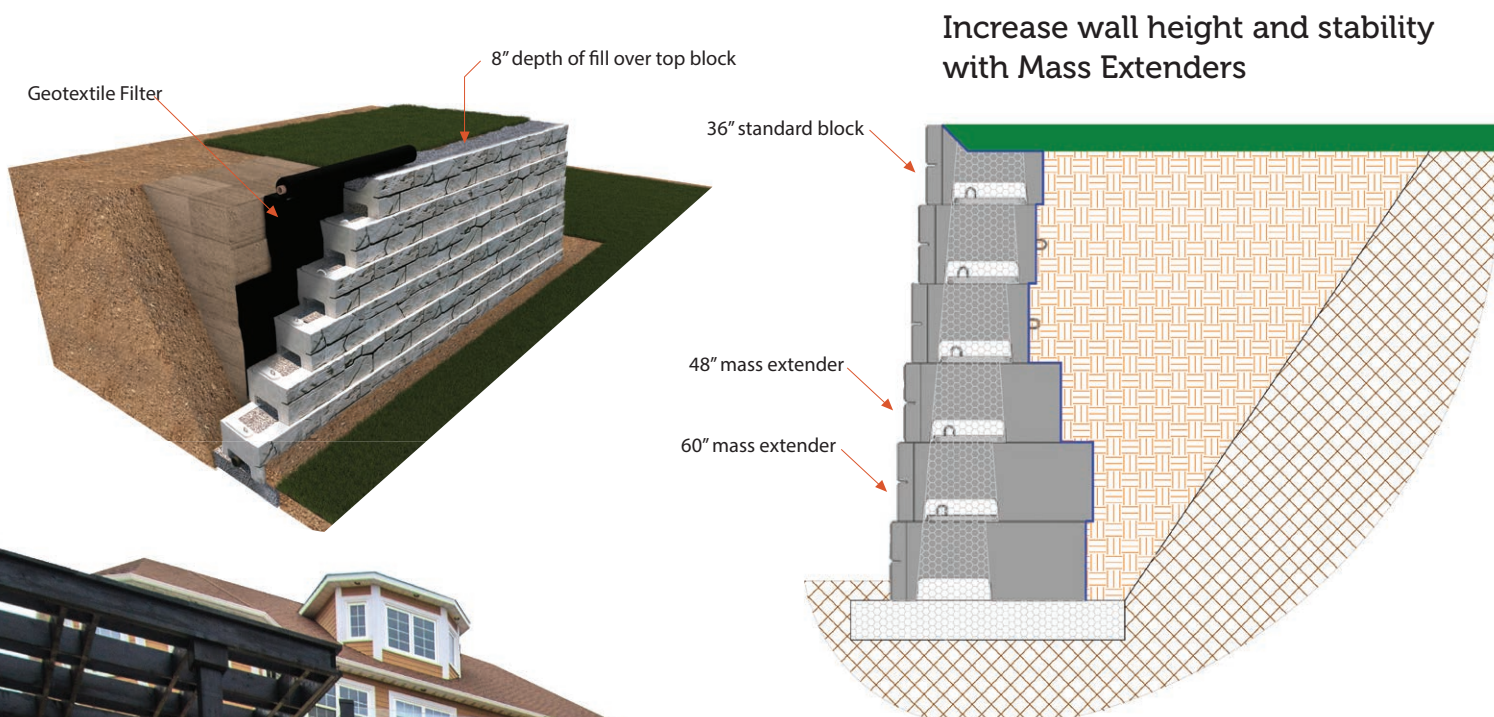
Strong and versatile

Even more appealing, Verti-Block is incredibly strong and versatile thanks to its interlocking design. Featuring a male-and-female style connection, Verti-Block units ensure you'll get a secure fit that guarantees the correct amount of setback on every installation. Verti-Block's hollow design saves money by using less concrete and lowering transportation costs. It also ensures the right amount of crushed stone backfill. Experienced installers know that too much crushed stone wastes money—too little can build hydrostatic pressure and cause the retaining wall to fail.

Easy installation

Verti-Block was created with landscaping in mind—meaning we've made it easy to transport and install, even in tight access spots. Blocks can be moved and put into place with smaller equipment; there's no need for heavy machines like a telehandler or crane. The male-and-female connection eliminates placement error, ensuring strength and an exact installation every time.

Verti-Block Gravity Wall



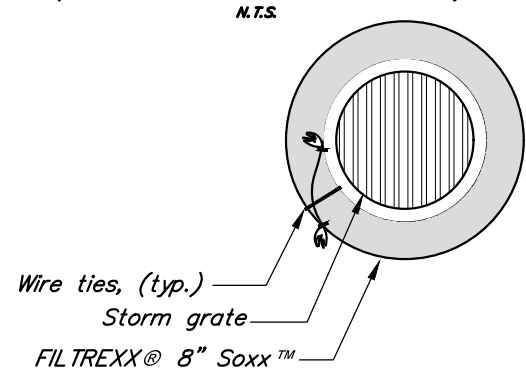
Engineered for strength

While the hollow nature of Verti-Block makes it cost effective and easier to handle, it also improves its ability to retain earth. Even in poor soil conditions, Verti-Block can be stacked higher than other blocks without the use of tiebacks or geogrid.

The male-and-female design of Verti-Block adds a stronger connection than blocks relying on friction alone. The crushed stone fill also interlocks and creates a continuous mass for greater strength.

Secure "Marsh Mat", or approved equal, coir inlet filter over catch basin.

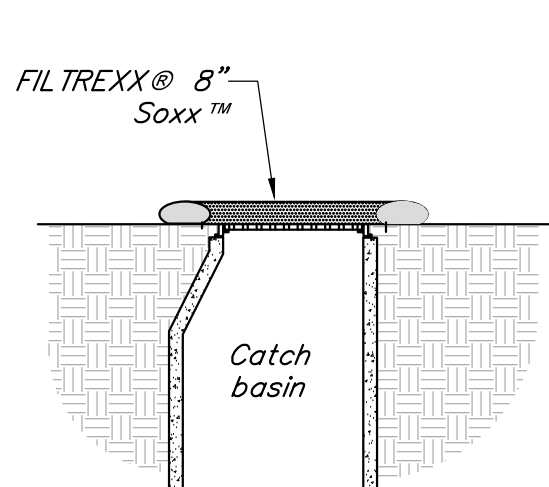
Inlet Protection (Pavement Areas)



Drain Inlet Plan

Curbside Option "A" Plan

Curbside Option "B" Plan



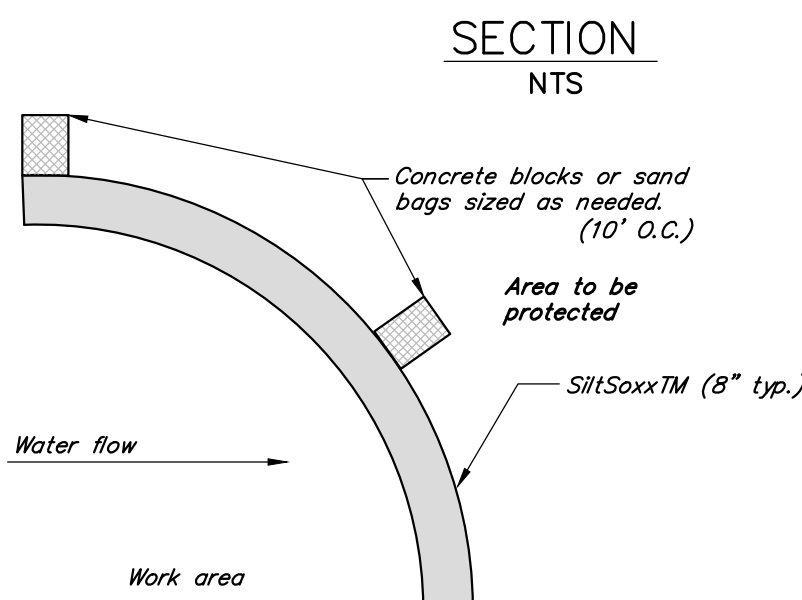
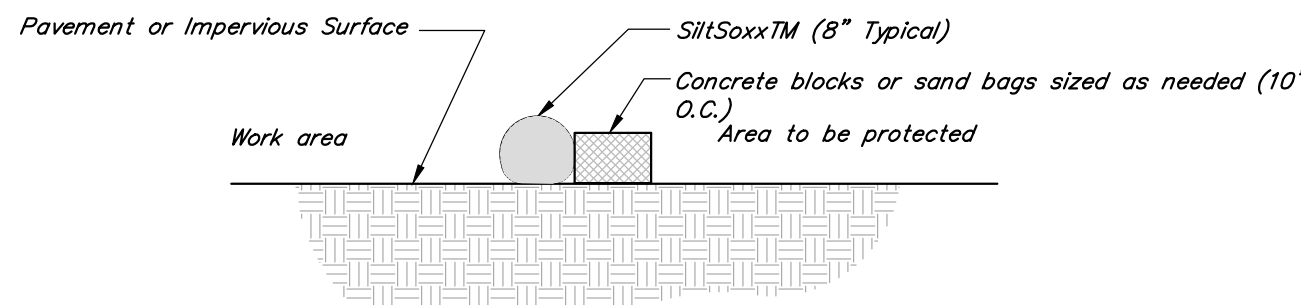
Drain Inlet Section

Curbside Section

NOTES:

1. All material to meet FILTREXX® specifications.
2. Filter Media™ fill to meet application requirements.
3. Compost material to be dispersed on site, as determined by engineer.

FILTREXX SiltSoxx Inlet Protection

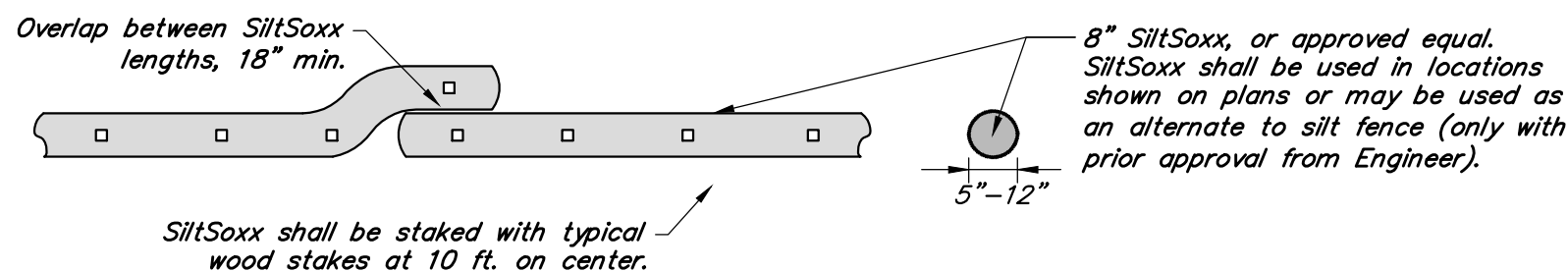


PLAN

N.T.S.

Installation on Pavement

1. Contractor shall be responsible for the installation, maintenance, and removal of SiltSoxx in all locations shown on the plans. SiltSoxx may be left in place if the contractor seeds and mulches over SiltSoxx for growth post construction.
2. Maintenance shall be performed as needed and additional SiltSoxx will be added when sediment reaches half of product height.
3. When installing lengths of SiltSoxx, lengths will overlap by minimum 18" when transitioning to a new length of SiltSoxx.
4. Contractor shall refer to all manufacturers specifications and details.
5. SiltSoxx is a product from a specific manufacturer (Filtrex), other manufacturers with equal products may be used if approved by Engineer.



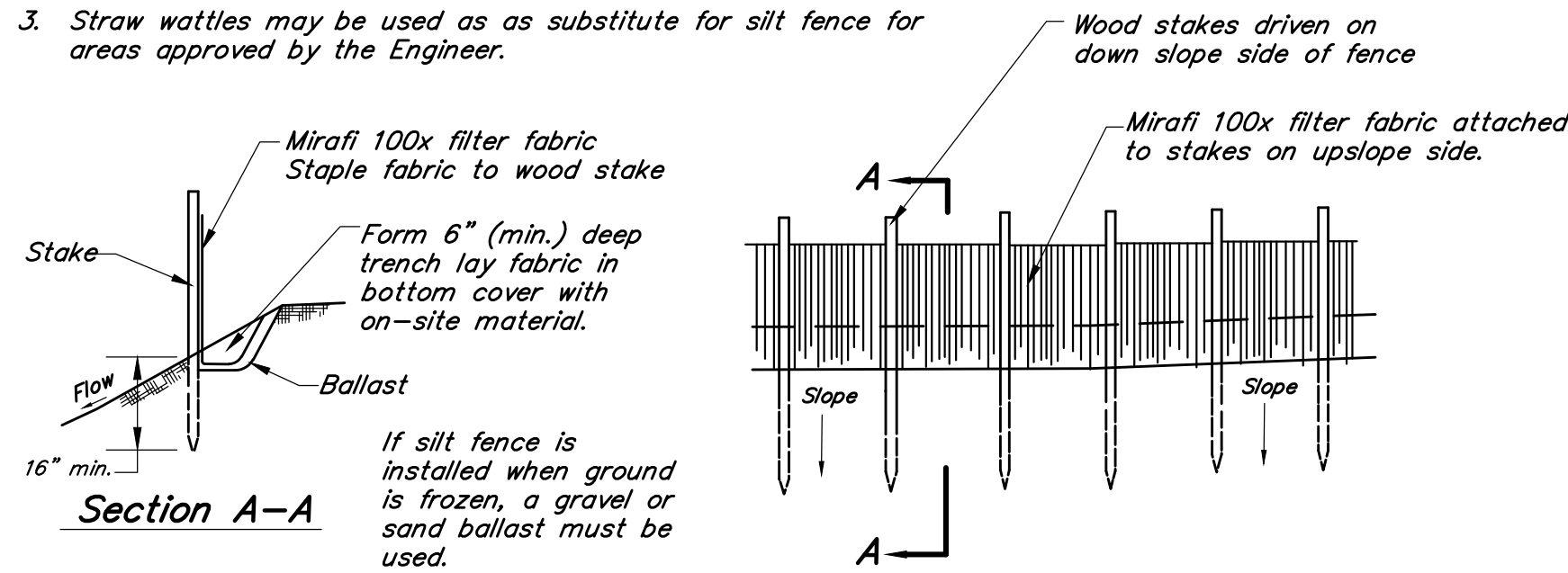
Typical FILTREXX SiltSoxx Sediment Control

N.T.S.

Notes

1. Contractor shall be responsible for the installation, maintenance, and removal of silt fence in all locations shown on the plans.
2. Maintenance shall be performed as needed and material removed when sediment reaches half of fabric height. Remove silt fence after successful establishment of vegetation.
3. Straw wattles may be used as as substitute for silt fence for areas approved by the Engineer.

Silt fence spacing chart	
Slope	silt fence spacing
5% to 10%	50 ft. or less
10% to 20%	25 ft. or less
> 20%	15 ft. or less



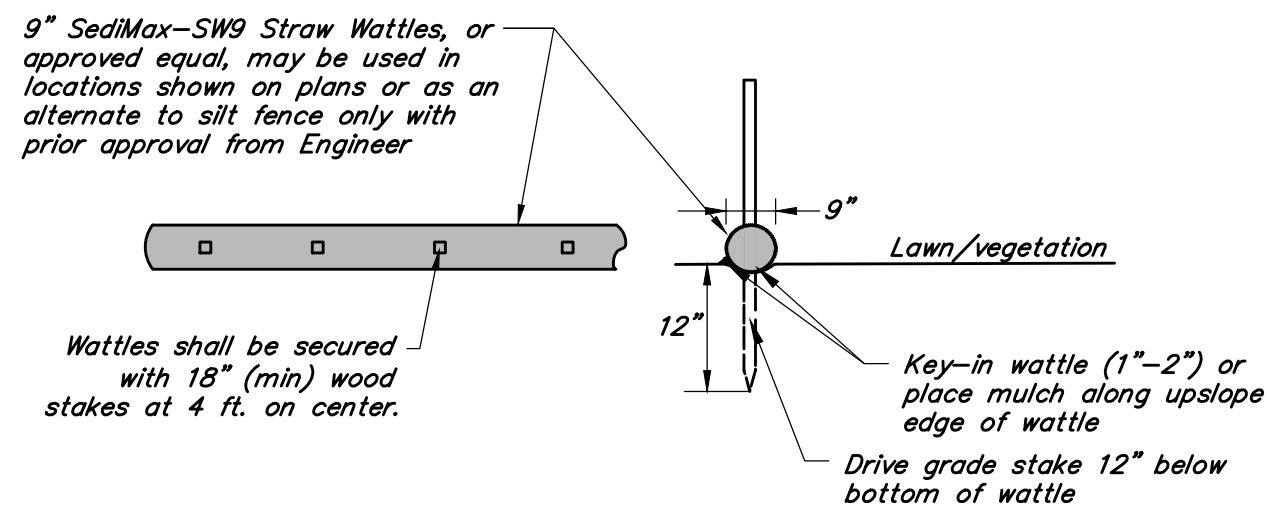
Typical Temporary Silt Fence

N.T.S.

NOTES:

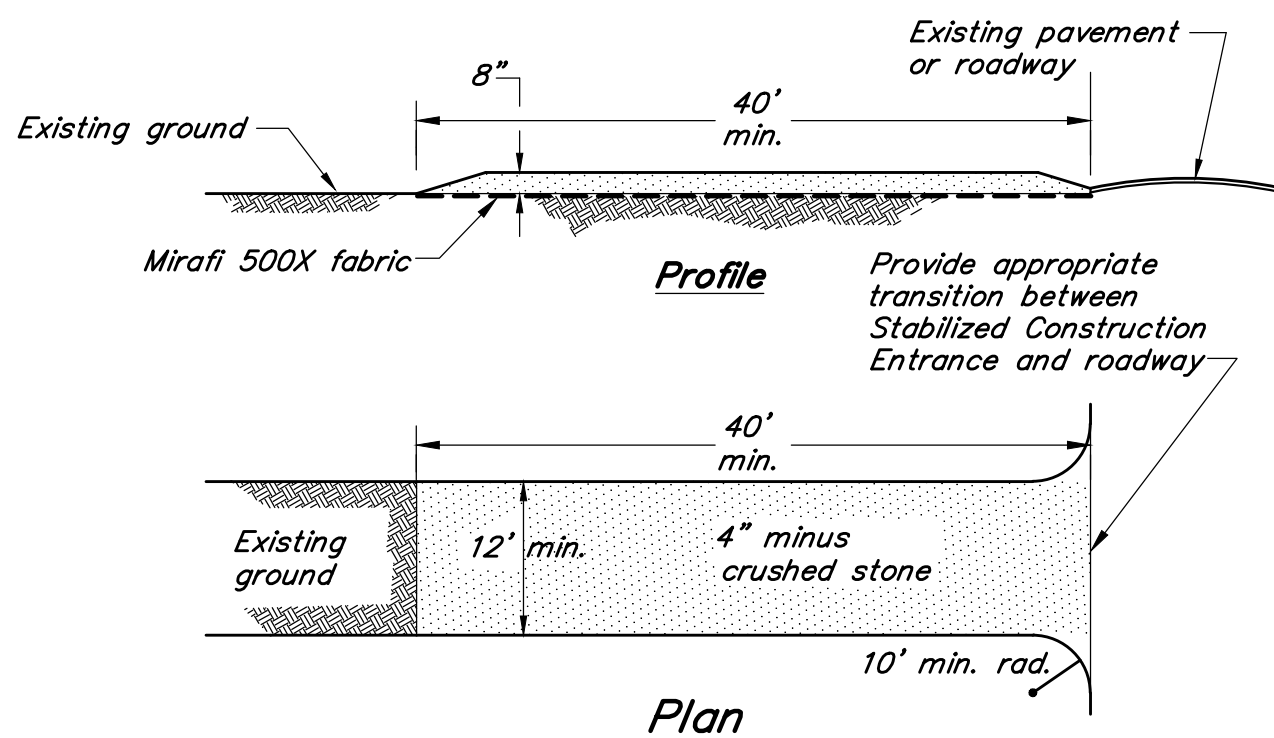
1. Contractor shall be responsible for the installation, maintenance, and removal of straw wattles in all locations shown on the plans.
2. Maintenance shall be performed as needed and material removed when sediment reaches half of product height. Remove wattle after successful establishment of vegetation.

Wattle spacing chart	
Slope Gradient (H:V)	Wattle spacing
< 6:1	50 ft. or less
4:1 - 6:1	35 ft. or less
> 4:1 - 2:1	20 ft. or less
> 2:1 - 1:1	10 ft. or less
> 1:1	5 ft. or less



Typical Straw Wattle Sediment Control

N.T.S.



Note:

- Contractor shall be responsible for the installation, maintenance, and removal of a stabilized construction entrance at each construction entrance for the project. The Construction Stabilized Entrance and its continued maintenance shall be a minimum measure to prevent tracking of sediment off-site.

- Contractor to use Mirafi 500x under stone for temporary construction roads.

- Stabilized construction entrances shall be repaired when voids are 80% filled with sediment. Repair shall include adding additional 4" minus crushed stone and/or removal of contaminated stone.

THIS DETAIL TO BE USED FOR ALL TEMPORARY STONE STABILIZATION AREAS IDENTIFIED ON THE PLANS

Temporary Stabilized Construction Entrance & Staging Areas

N.T.S.

Construction Limit Barriers

- Temporary chain-linked construction fence may be used to delineate construction limits where practical or where directed in the Contract Documents.
- Orange construction fence or snow fence shall be used to demarcate short-term construction activities.
- 3" thick orange polyester mesh webbing may be used to demarcate construction disturbance limits that are not proximate to environmentally sensitive areas (wetlands, RTE plants, etc.)

Erosion Prevention and Sediment Control Notes

1. Contractor shall be responsible for complying with all State and Local erosion prevention and sediment control standards and permit requirements during construction.
 2. The limit of disturbance shall be clearly defined by Contractor's surveyor prior to clearing. Erosion and sediment control devices shall be established to trap sediment on site.
 3. All erosion control shall be placed as shown on the drawings or as ordered by the Engineer. The Contractor shall maintain the erosion control measures until the Engineer is satisfied that permanent ground cover is established and that further measures are not required. It shall be the responsibility of the Contractor to employ appropriate erosion control as shown on these drawings and any other measures as necessary to trap sediment on site.
 4. All areas of disturbance shall be permanently or temporarily stabilized as soon as possible and within 48 hours of final grading. All areas of disturbance shall be at least temporarily stabilized within 14 days of initial disturbance. Any disturbance after 14 consecutive days of exposed soil shall be stabilized daily unless the following exceptions apply:
 1. Stabilization is not required if earthwork is to continue in the area in the next 24 hours and there is no precipitation forecast in the next 24 hours.
 2. Stabilization is not required if the work is occurring in a self-contained excavation (i.e. no outlet) with a depth of 2 ft. or greater (e.g. house foundation excavation, utility trenches). Stabilization measures shall include mulch and netting, erosion control matting, crushed stone, gravel, or pavement.
 5. Refer to the Low Risk Site Handbook for Erosion Prevention and Sediment Control for acceptable methods of stabilization.
 6. The Contractor shall use water for dust control.
 7. The Contractor shall provide inlet protection around all catch basins (existing or new) that collect construction site stormwater runoff. Crushed stone inlet protection may be used in non-paved areas.
 8. A stabilized construction entrance (See Detail) shall be installed and maintained at all construction access locations. Contractor shall be responsible for installing crushed stone to provide stable areas for construction vehicle traffic, staging, and storage. The Contractor is responsible for providing and maintaining sufficient stone to prevent rutting and sediment tracking.
 9. All paved roads used by construction vehicles shall be swept daily during periods of active construction, or at a greater frequency, if dirt or gravel is tracked from the site. The swept debris shall be immediately removed from the curb face if applicable.
 10. All temporary erosion and sediment control measures shall be removed within 30 days after final stabilization or after the measures are no longer needed, unless otherwise authorized.
 11. All sediment removed from sediment control practices shall be placed in an approved soil disposal area.
 12. All areas that do not have established vegetation by October 15th must be stabilized in accordance with the Winter Construction Requirements listed on this sheet.
 13. After permanent seeding, the Contractor shall be responsible for watering, if necessary, to ensure adequate vegetative growth.
 14. Water from dewatering activities that flows off site must be clear. Water must not be pumped into storm sewers, lakes, or wetlands unless the water is clear.
 15. The Contractor shall be responsible for all inspection and maintenance of the erosion prevention and sediment control practices for the project. Inspections and corresponding reports shall be performed at a minimum, once a week and after every precipitation event that results in a discharge from the site.
- The perimeter of the site and all BMPs will be inspected at the end of each workday to ensure that sediment will not leave the site. If sediment has traveled beyond the site boundary, it shall be swept up or otherwise removed and deposited on-site in an upgradient area at the end of each workday.

SEEDING SPECIFICATIONS

PERMANENT SEED MIX SHALL BE USED AS EARLY AS PRACTICABLE BETWEEN 5/15 AND 9/15 AND SHALL MEET THE FOLLOWING CRITERIA:

Refer to Post Construction Soil Restoration Plan for additional requirements

SEED	% WEIGHT
CREEPING RED FESCUE	40%
KENTUCKY BLUEGRASS	30%
PERENNIAL RYEGRASS	30%

If hydroseeding is used for temporary stabilization measures for turf establishment. Specifications are:

Hydroseed Additives:

Fertilizer: 19-19-19 75 lbs per 1,000 gallons of water

Lime: 100 lbs. per 1,000 gallons of water

Mulch: 300 lbs. per 1,000 gallons of water.

Tacifer: 5 lbs. per 1,000 gallons of water.

1. Areas having soil compaction as a result of construction shall have any crushed stone removed and the subgrade shall be re-to-billed prior to placing topsoil. Refer to the Post Construction Soil Depth and Quality Requirements.
2. If hand seeding, only straw mulch is to be used and secured by netting either organic or inorganic. If inorganic is used, it must be removed before the first mowing.
3. Starter fertilizer shall be applied at the manufacturer's suggested rate at the time of seeding. Fertilizer application will not be allowed in sensitive areas and adjacent to drainage ways as determined by the Engineer.
4. Watering is to be done by the Contractor and is to last for the duration of the warranty period to maintain proper growth. All apparatus necessary to apply the water must be furnished by the Contractor (i.e. hoses, sprinklers, etc.).
5. Staking of all topsoiled areas to control foot traffic will be required. Unless otherwise specified, acceptable staking materials will be grade stakes and twine or string with flagging attached for visibility.
6. A guarantee through the first mowing is required with any sparse or bare areas larger than 1 sq. ft. to be redone.
7. The Contractor is responsible for the first mowing. After the first mowing and prior to the Owner taking responsibility for the lawn areas the Contractor and an Owner's Representative shall meet to inspect the vegetation establishment.
8. Contractor is responsible for all topsoil to complete the project as shown. If existing volume of topsoil is inadequate, the Contractor, at no cost to the Owner, shall purchase offsite approved topsoil as necessary.

GENERAL GRADING AND SITE WORK NOTES

1. ALL AREA DISTURBED AND ALL AREAS WITHIN THE CLEARING LIMITS SHALL BE GRADED AND COVERED WITH A MINIMUM OF 4" OF LOAM TOPSOIL. THE AREAS TO BE LOAMED SHALL BE FREE AND CLEAR OF ROOTS, WASTE MATERIAL AND OTHER DELETERIOUS MATERIAL. TOPSOIL SHALL BE SPREAD AND LIGHTLY COMPACTED TO A DEPTH OF 4". TOPSOIL SHALL BE APPROVED BY THE ENGINEER. ALL SIDE SLOPES ARE TO BE LOAMED.
2. ALL TURF ESTABLISHMENT SHALL BE IN ACCORDANCE WITH SECTION 651 OF THE VT STANDARD SPECIFICATIONS 2018 AND THE TOWN'S SPECIFICATIONS. MULCHING SHALL FOLLOW SEEDING BY NO MORE THAN 24 HOURS.
3. ALL CUT SLOPES SHALL BE NO STEEPER THAN 2.0H ON 1.0V. ALL FILL SLOPES SHALL BE NO STEEPER THAN 2.0H ON 1.0V.
4. THE CONTRACTOR SHALL NOT DISTURB ANY GROUND BETWEEN OCTOBER 15TH BETWEEN APRIL 15TH WINTER MONTHS, UNLESS APPROVED BY THE ENGINEER.
5. TEMPORARY SEDIMENT CONTROL MEASURES SHALL BE ERECTED PRIOR TO ANY CLEARING OR CONSTRUCTION. THESE MEASURES MAY BE ERECTED IN PHASES, BUT IN NO CASE SHALL GROUND DISTURBANCE PRECEED SEDIMENT CONTROL INSTALLATION. SPECIAL AREAS MAY BE DESIGNATED BY THE OWNER FOR PRESERVATION OF EXISTING TREES. THESE AREAS SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO INSURE NO DAMAGE IS DONE TO DESIGNATED TREES.
6. EXISTING PLANTINGS ARE LOCATED IN GENERAL AREAS AS SHOWN ON THIS PLAN. CONTRACTOR SHALL PROTECT PLANTINGS SO AS NOT TO DAMAGE THESE OR THEIR ROOT SYSTEMS.
7. SLOPE STABILITY BASED UPON UNSATURATED SOIL CONDITIONS. IF DURING CONSTRUCTION SATURATED SOILS ARE ENCOUNTERED, CONTACT THE ENGINEER IMMEDIATELY.

Soils Restoration Legend



POST-CONSTRUCTION SOIL DEPTH & QUALITY STANDARD
VERIFICATION TEST PIT. MINIMUM 9'/ACRE. (4 for Area Shown)

SOILS SUBJECT TO POST-CONSTRUCTION SOIL DEPTH &
QUALITY STANDARD.

- SOIL DEPTH AND QUALITY SHALL BE ESTABLISHED TOWARDS THE END OF CONSTRUCTION AND, ONCE ESTABLISHED, BE PROTECTED FROM COMPACTION.
- THE CONTRACTOR IS RESPONSIBLE FOR VERIFICATION OF THE POST CONSTRUCTION SOIL DEPTH AND QUALITY.
- VERIFICATION SHALL BE VIA A SAMPLING SCHEME IDENTIFIED ON THIS PLAN THAT INCLUDES FIVE, 8" DEEP TEST HOLES PER ACRE OF AREA SUBJECT TO THE STANDARD.
- TEST HOLES SHALL BE EXCAVATED USING ONLY A SHOVEL DRIVEN SOLELY BY THE INSPECTOR'S WEIGHT AND SHALL BE AT LEAST 50 FEET APART FROM EACH OTHER.
- AFTER THE CONTRACTOR'S VERIFICATION OF THE POST CONSTRUCTION SOIL DEPTH AND QUALITY REQUIREMENTS, THE CONTRACTOR SHALL PROVIDE THE ENGINEER WITH A LETTER CONFIRMING CONFORMANCE WITH THE STORMWATER PERMIT STANDARD

Post-Construction Soil Depth and Quality Notes

Required Elements:

Soil retention: Retain, in an undisturbed state, the duff layer and native topsoil to the maximum extent practicable.

Soil quality: All areas subject to the Standard shall demonstrate the following:

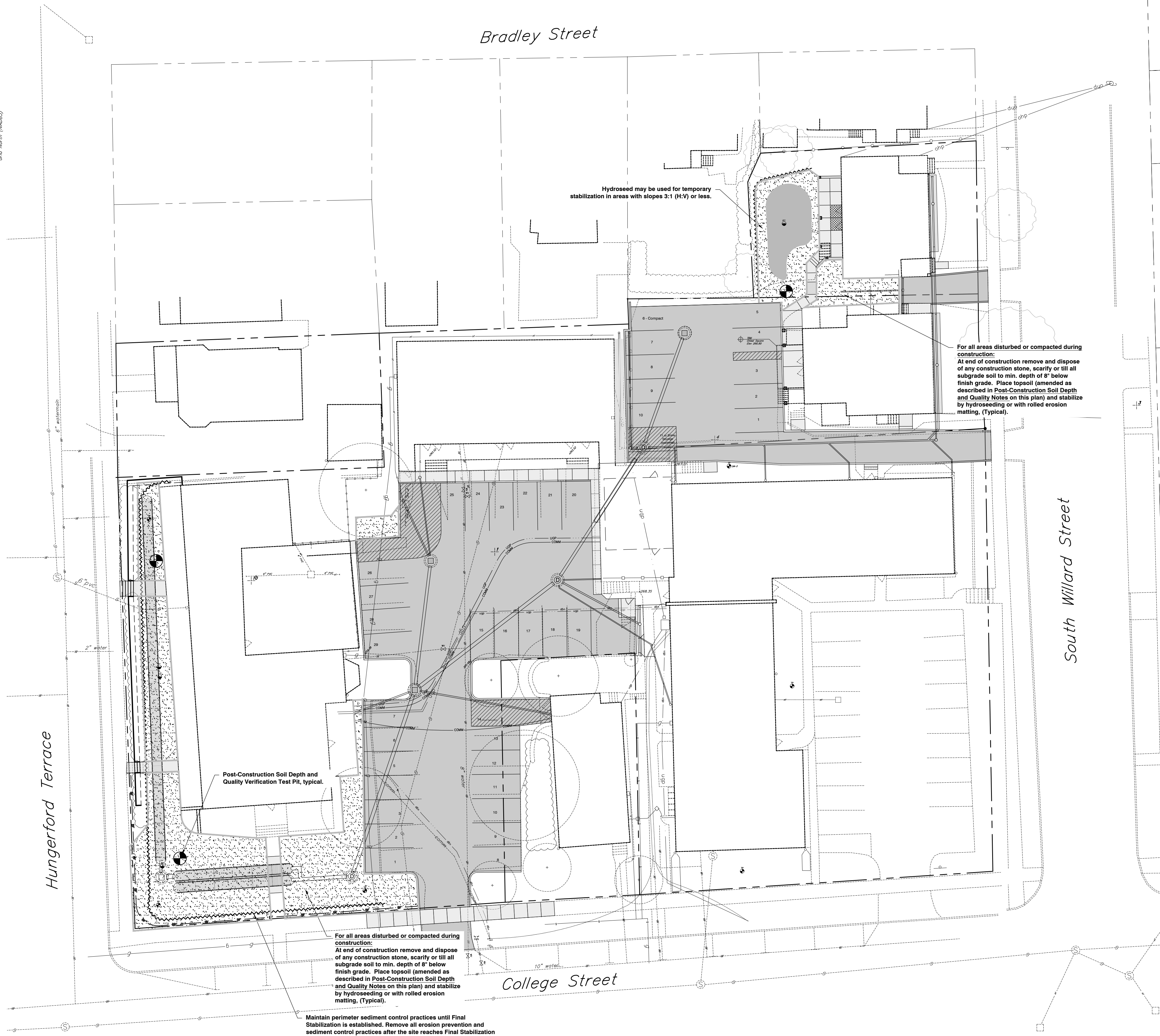
- A topsoil layer with a minimum organic matter content of 4% dry weight in planting beds and turf areas. The topsoil layer shall have a minimum depth of 5 inches, except where tree roots limit the depth of incorporation of amendments needed to meet the criteria.
- Compost and other materials shall be used that meet the following requirements:
 - The compost or other materials shall have a carbon to nitrogen ratio below 25:1.
 - Compost shall meet the definition of "compost" in the Agency's Solid Waste Management Rules or shall meet the contaminant standards in the Vermont Solid Waste Management Rules §6-1104(g)(6-7), §6-1105(e)(8-9), and §6-1106(e)(7-9). Compost or other organic materials may be amended to meet the foregoing requirements.
 - Exceptional Quality biosolids (EQ biosolids) may be used as a soil amendment, at a maximum proportion of 35% of the total soil volume, and shall be well mixed with existing soil before or during application.
- The resulting soil shall be conducive to the type of vegetation to be established.
- The soil quality requirements shall be met by using one or a combination of the following methods:
 - Option 1: Leave undisturbed native vegetation and soil, and protect from compaction during construction. Failure to establish and maintain exclusionary controls around these areas during the construction phase may trigger the requirement to restore soils per one of the following options.
 - Option 2: Amend existing site topsoil or subsoil in place.
 - Scarify or till subsoils to 4 inches of depth or to depth needed to achieve a total depth of 8 inches of uncompacted soil after calculated amount of amendment is added. Except for within the drip line of existing trees, the entire surface shall be disturbed by scarification;
 - Amend soil to meet organic content requirements:
 - PRE-APPROVED RATE: Place 1 inch of composted material with an organic matter content between 40 and 65% and rototill into 3 inches of soil, or
 - CALCULATED RATE: Place calculated amount of composted material or approved organic material and rototill into depth of soil needed to achieve 4 inches of settled soil at 4% organic content. *Contractor to provide calculation and site sketch indicating areas used for calculations.
 - Rake beds to smooth and remove surface rocks larger than 2 inches in diameter; and
 - Water or roll to compact soil in turf areas to 85% of maximum dry density.
 - Option 3: Remove and stockpile existing topsoil during grading.
 - Stockpile soil on site in a designated controlled area, at least 50 feet from surface waters, wetlands, floodplains, or other critical resource areas;
 - Scarify or till subgrade to a depth of 4 inches. Except for within the drip line of existing trees, the entire surface shall be disturbed by scarification;
 - Stockpiled topsoil shall also be amended, if needed, to meet the organic content requirements:
 - PRE-APPROVED RATE: Compost shall be incorporated with an organic matter content between 40 and 65% into the topsoil at a ratio 1:3, or
 - CALCULATED RATE: Incorporate composted material or approved organic material at a calculated rate to achieve 4 inches of settled soil at 4% organic content;*
 - Replace stockpiled topsoil prior to planting, screen topsoil, and;
 - Rake to level, and remove surface rocks larger than 2 inches in diameter.
 - Option 4: Import topsoil mix, or other materials for mixing, including compost, of sufficient organic content and depth.
 - Scarify or till subgrade to a depth of 4 inches. Except for within the drip line of existing trees, the entire surface shall be disturbed by scarification;
 - Place 4 inches of imported topsoil mix on surface. The imported topsoil mix shall contain 4% organic matter. Soils used in the mix shall be sand or sandy loam as defined by the USDA; Shop drawing submittal is required. Find USDA sieve for sand and sandy loam.
 - Rake beds to smooth and remove surface rocks larger than 2 inches in diameter; and
 - Water or roll to compact soil in turf areas to 85% of maximum dry density.

Soil Management:

- Identifies areas on the site subject to the Standard;
- Soil depth and quality shall be established toward the end of construction and once established, protected from compaction, such as from large machinery, vehicle traffic, and from erosion;
- After soil amendments and placement is complete, and prior to seeding and mulching, Contractor shall perform verification sampling in locations indicated on sampling plan. Verification sampling shall include nine, 8 inch deep (min) test holes per acre of area subject to the standard. Test holes shall be excavated using only a shovel driven solely by inspector's weight and shall be at least 50 feet apart from each other.
- A dense and vigorous vegetative cover shall be established over all turf areas.
- At the end of construction the Contractor shall provide the Engineer with a letter indicating that the Post Construction Soil Depth and Quality Standards have been met. This shall include the verification sampling, topsoil depths, and soil modifications.

Legend

	Existing Approximate Property Line
	Existing Grade Minor Contour
	Existing Water Line/Hydrant/Valve/Shutoff
	Existing Sewer Line/Manhole
	Existing Storm Line/Manhole/Basin
	Existing Gas Line/Valve
	Existing Overhead Power/Power Pole
	Existing Underground Power
	Finish Grade Minor Contour
	New Storm Line/Manhole/Basin
	New Underground Power
	New Light Fixture



NO.	DESCRIPTION	DATE
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JANNEF HOLDINGS, LLC PROPERTY
326 College Street, Burlington, VT

Post Construction Stabilization Plan

DRAWN BY: SLM

PROJECT NO: 18213

DATE: 2/13/23

REVISED:

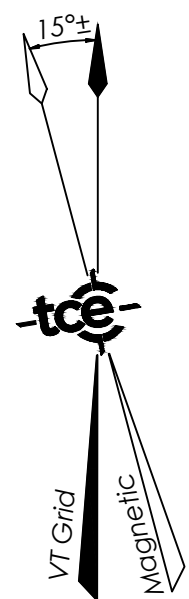
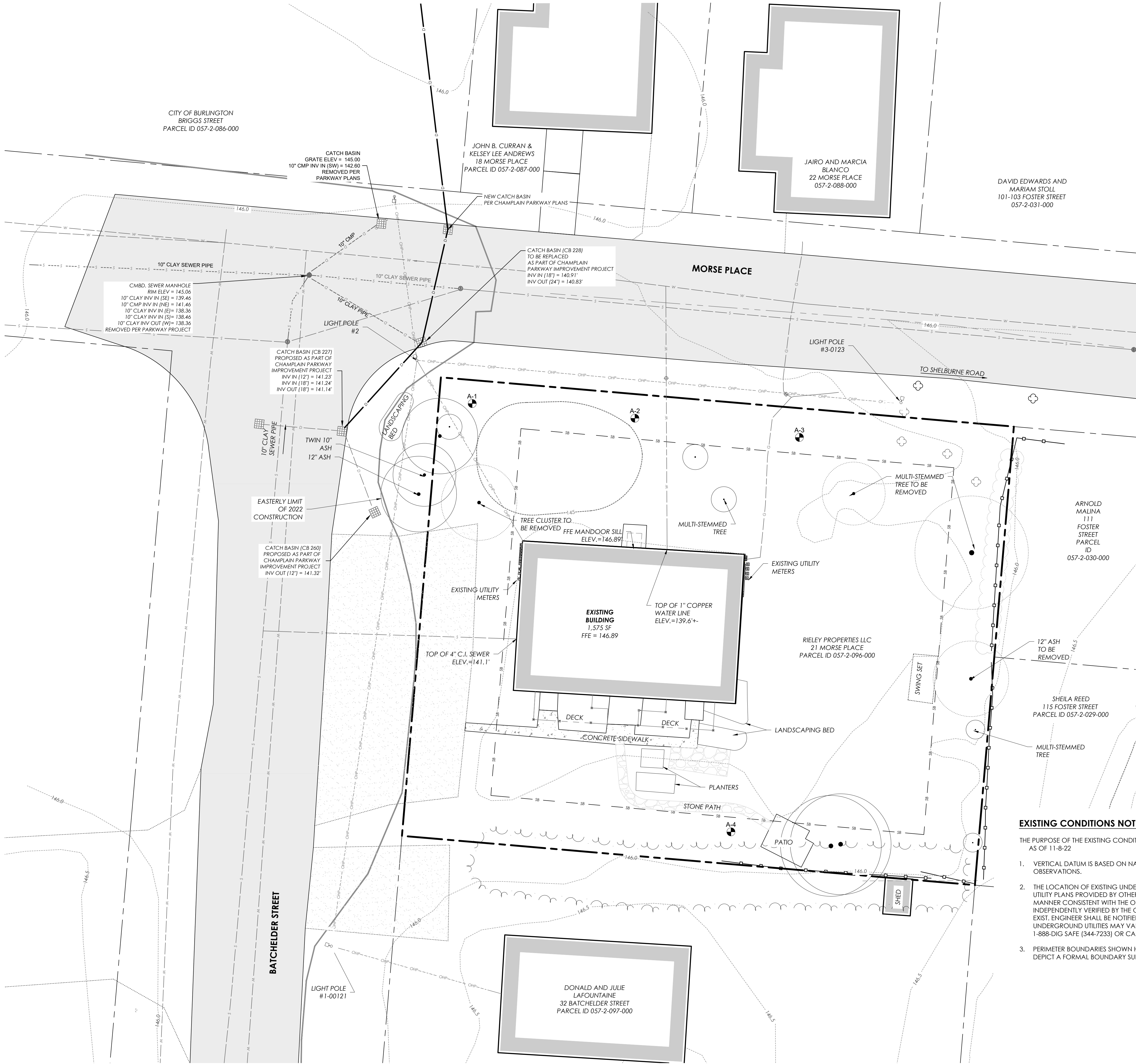
SCALE: 1" = 20'

SP-6

Project Phase

PERMIT DRAWINGS ONLY.
NOT FOR CONSTRUCTION

18213/DWGS/18213_Farrell_326_College_Site_Base.dwg



PROJECT LOCATION

LEGEND

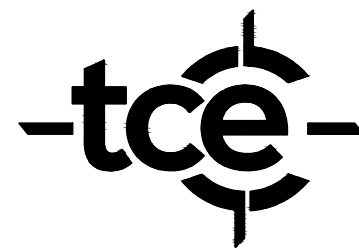
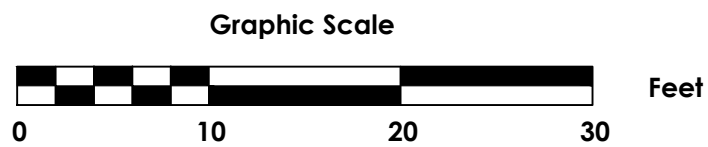
- SUBJECT PROPERTY LINE
- LINE ABUTTER PROPERTY LINE
- EXISTING FENCE
- EXISTING WATER AND VALVE
- EXISTING COMBINED SEWER AND MANHOLE
- EXISTING STORM AND CATCH BASIN
- EXISTING OVERHEAD UTILITIES AND UTILITY POLE
- EXISTING GROUND CONTOUR
- BUILDING SETBACK

LEGEND NOTE:

SOME INFORMATION MAY BE PROVIDED BY OTHERS AND COULD BE SHOWN WITH A DIFFERENT SYMBOL NOT SHOWN ON THIS LEGEND. HOWEVER, THEY ARE LABELED ON RESPECTIVE PLANS. IN SOME CASES A CHANGE IN SCALE OR PRINTER CAN ALTER INFORMATION TO NOT SHOW AN EXACT MATCH ON THIS LEGEND. IF ANY QUESTIONS EXIST CONTACT THE ENGINEER TO CLARIFY. ADDITIONAL LEGEND INFORMATION IS SUPPLIED SEPARATELY ON EROSION CONTROL PLANS AND SOME SURVEY PLATS.

EXISTING CONDITIONS NOTES:

- THE PURPOSE OF THE EXISTING CONDITIONS PLAN IS TO DEPICT READILY APPARENT PERTINENT EXISTING CONDITIONS AS OF 11-8-22
- VERTICAL DATUM IS BASED ON NAVD88 (GEIOD 18). A CARLSON 8rx7 RTK GPS UNIT WAS EMPLOYED FOR THESE OBSERVATIONS.
 - THE LOCATION OF EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS SHOWN ARE BASED ON RESEARCH, UTILITY PLANS PROVIDED BY OTHERS, AND/OR SURFACE EVIDENCE ENCOUNTERED AND WERE OBTAINED IN A MANNER CONSISTENT WITH THE ORDINARY STANDARD OF PROFESSIONAL CARE AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR THE DESIGN ENGINEER. ADDITIONAL UTILITIES NOT SHOWN MAY EXIST. ENGINEER SHALL BE NOTIFIED IF ANY DISCREPANCIES ARE ENCOUNTERED. ACTUAL LOCATION OF UNDERGROUND UTILITIES MAY VARY. DIGSAFE MUST BE CONTACTED PRIOR TO ANY EXCAVATION. CALL 1-888-DIG SAFE (344-7233) OR CALL 811.
 - PERIMETER BOUNDARIES SHOWN HEREON STRICTLY FROM TAX MAP INFORMATION ONLY, THIS PLAN DOES NOT DEPICT A FORMAL BOUNDARY SURVEY.



ENGINEERING • SURVEY
PLANNING • ENVIRONMENTAL
478 BLAIR PARK ROAD | WILLISTON, VERMONT 05495
802.879.6331 | WWW.TCEVT.COM

Revisions	No.	Description	Date	By
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- PARCEL ID: 057-2-096-000
- Use of These Drawings
- Unless otherwise noted, these Drawings are intended for preliminary planning, coordination with other disciplines or utilities, and/or approval from the regulatory authorities. They are not intended as construction drawings unless noted as such or marked approved by a regulatory authority.
 - By use of these drawings for construction of the Project, the Owner represents that they have reviewed, approved, and accepted the drawings, obtained all necessary permits, and have met with all applicable parties/disciplines, including but not limited to, the Engineer and the Architect, to insure these plans are properly coordinated including, but not limited to, contract documents, specifications, owner/contractor agreements, building and mechanical plans, private and public utilities, and other pertinent permits for construction.
 - Owner and Architect, are responsible for final design and location of buildings shown, including an area measured a minimum five (5) feet around any building and coordinating final utility connections shown on these plans.
 - Prior to using these plans for construction layout, the user shall contact TCE to ensure the plan contains the most current revisions.
 - These Drawings are specific to the Project and are not transferable. As instruments of service, these drawings, and copies thereof, furnished by TCE are its exclusive property. Changes to the drawings may only be made by TCE. If errors or omissions are discovered, they shall be brought to the attention of TCE immediately.
 - It is the User's responsibility to ensure this copy contains the most current revisions.



For Local Permitting Only

Project Title

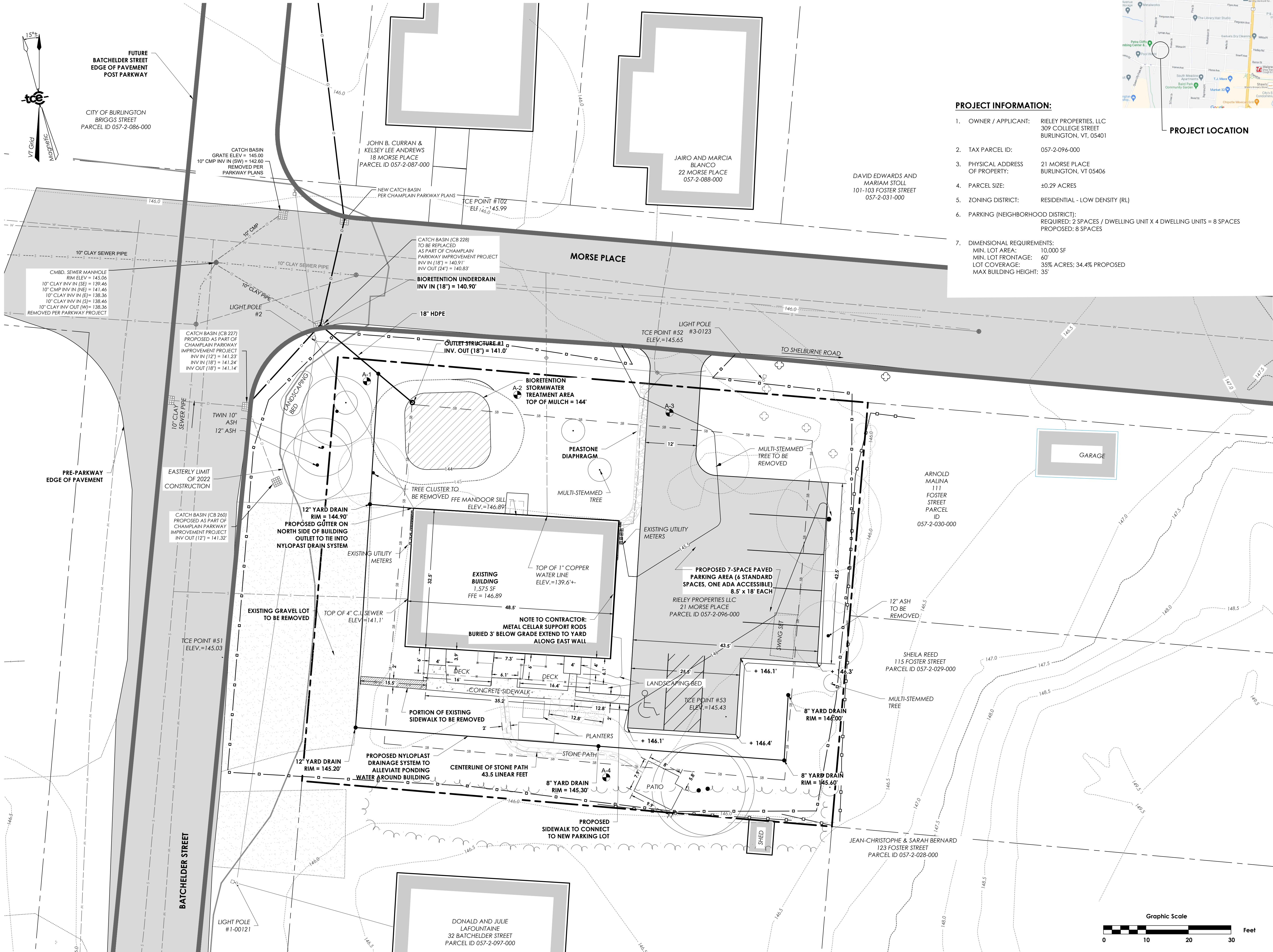
RIELEY PROPERTIES
21 MORSE PLACE
BURLINGTON, VERMONT

Sheet Title

**EXISTING
CONDITIONS PLAN**

Date:	11/30/2022
Scale:	1" = 10'
Project Number:	22-321
Drawn By:	DLH
Project Engineer:	DJH
Approved By:	DJH
Field Book:	

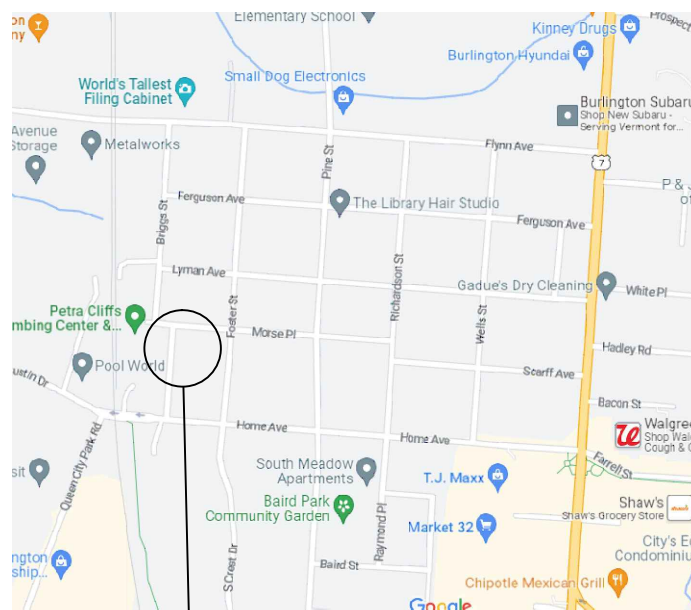
C1-01



PROJECT INFORMATION:

- OWNER / APPLICANT: RIELEY PROPERTIES, LLC
309 COLLEGE STREET
BURLINGTON, VT, 05401
- TAX PARCEL ID: 057-2-096-000
- PHYSICAL ADDRESS OF PROPERTY: 21 MORSE PLACE
BURLINGTON, VT 05406
- PARCEL SIZE: ±0.29 ACRES
- ZONING DISTRICT: RESIDENTIAL - LOW DENSITY (RL)
- PARKING (NEIGHBORHOOD DISTRICT): REQUIRED: 2 SPACES / DWELLING UNIT X 4 DWELLING UNITS = 8 SPACES
PROPOSED: 8 SPACES
- DIMENSIONAL REQUIREMENTS:
MIN. LOT AREA: 10,000 SF
MIN. LOT FRONTAGE: 60'
LOT COVERAGE: 35% ACRES; 34.4% PROPOSED
MAX BUILDING HEIGHT: 35'

PROJECT LOCATION



Revisions	No.	Description	Date	By
	1	ADD DIMENSIONS OF HARDSCAPED SURFACES	02/13/2023	SRK
	2	CLARIFY PARKING AND DRIVEWAY SURFACE MATERIAL	03/21/2023	SRK

PARCEL ID: 057-2-096-000

Use of these Drawings

1. Unless otherwise noted, these Drawings are intended for preliminary planning, coordination with other disciplines or utilities, and/or approval from the regulatory authorities. They are not intended as construction drawings unless noted as such or marked approved by a regulatory authority.

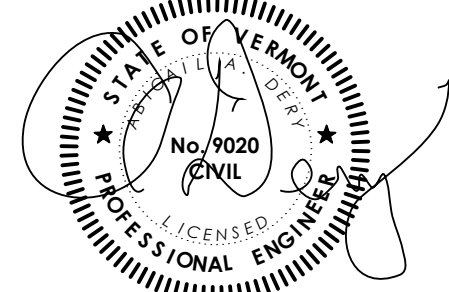
2. By use of these drawings for construction of the Project, the Owner represents that they have reviewed, approved, and accepted the drawings, obtained all necessary permits, and have met with all applicable parties/disciplines, including but not limited to, the Engineer and the Architect, to insure these plans are properly coordinated including, but not limited to, contract documents, specifications, owner/contractor agreements, building and mechanical plans, private and public utilities, and other pertinent permits for construction.

3. Owner and Architect, are responsible for final design and location of buildings shown, including an area measured a minimum five (5) feet around any building and coordinating final utility connections shown on these plans.

4. Prior to using these plans for construction layout, the user shall contact TCE to ensure the plan contains the most current revisions.

5. These Drawings are specific to the Project and are not transferable. As instruments of service, these drawings, and copies thereof, furnished by TCE are its exclusive property. Changes to the drawings may only be made by TCE. If errors or omissions are discovered, they shall be brought to the attention of TCE immediately.

6. It is the User's responsibility to ensure this copy contains the most current revisions.



For Local Permitting Only

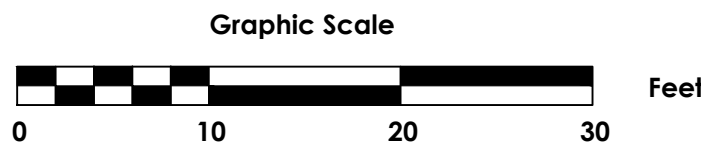
Project Title

Rieley Properties, LLC
21 Morse Place
Burlington, VT

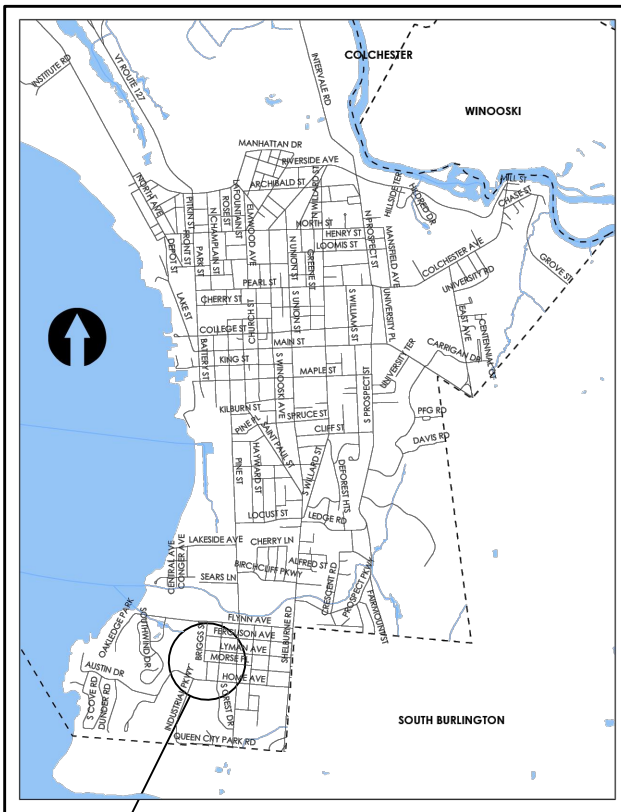
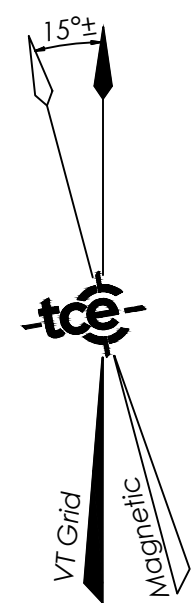
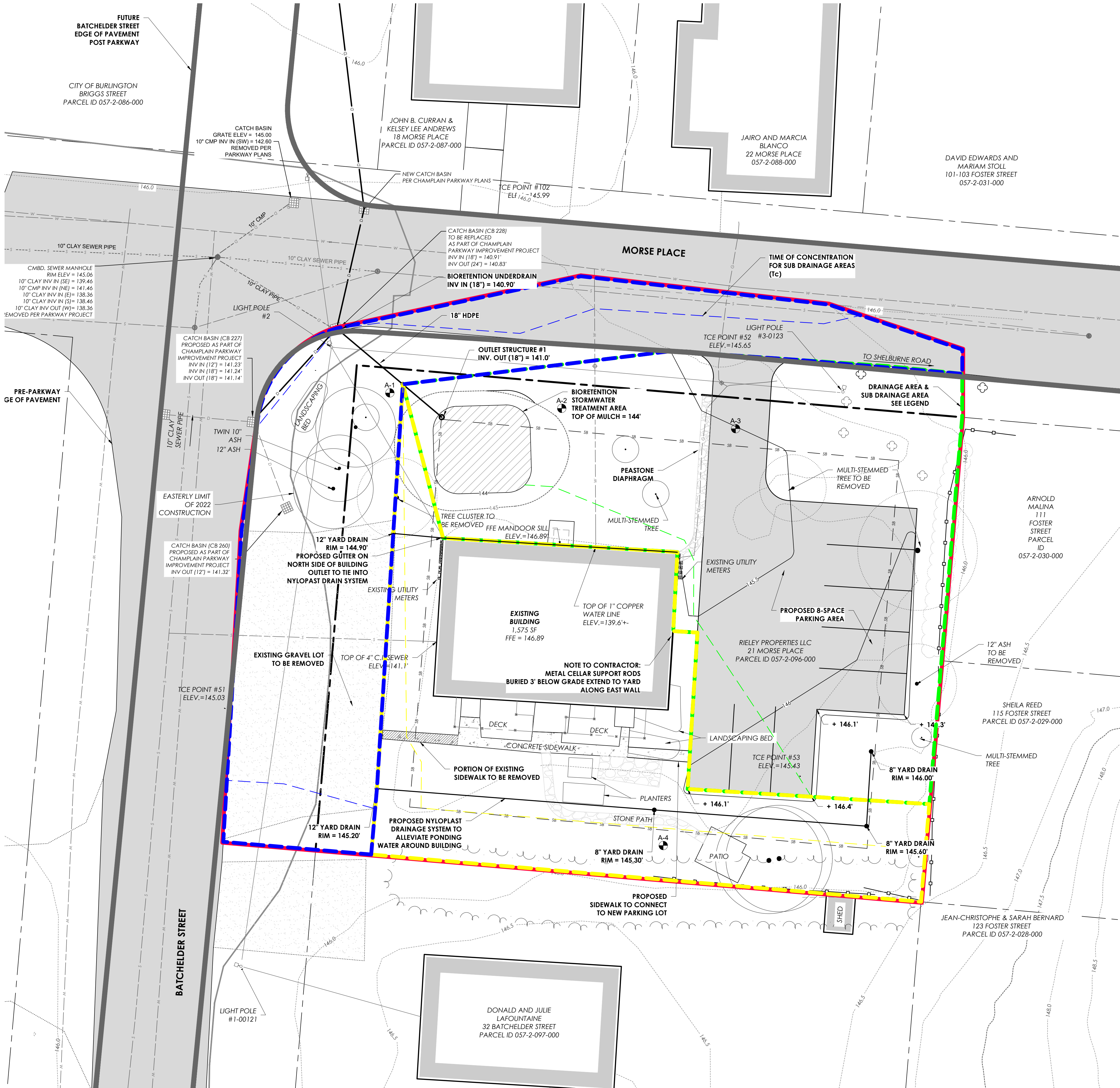
Sheet Title

Site Plan

Date:	2/09/2023
Scale:	1" = 10'
Project Number:	22-321
Drawn By:	SRK
Project Engineer:	SRK
Approved By:	AAD
Field Book:	



C2-01



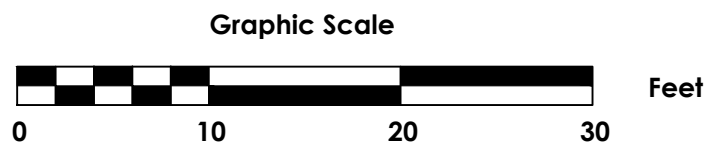
PROJECT LOCATION

PROJECT INFORMATION:

- 1. OWNER / APPLICANT: RIELEY PROPERTIES, LLC
309 COLLEGE STREET
BURLINGTON, VT, 05401
- 2. TAX PARCEL ID: 057-2-096-000
- 3. PHYSICAL ADDRESS OF PROPERTY: 21 MORSE PLACE
BURLINGTON, VT 05401
- 4. PARCEL SIZE: ±0.29 ACRES
- 5. IMPERVIOUS SUMMARY

EXISTING IMPERVIOUS	3,973 SF	0.091 AC
PROPOSED IMPERVIOUS	2,672 SF	0.061 AC
IMPERVIOUS FOR TREATMENT	2,672 SF	0.061 AC
REMOVED IMPERVIOUS	1,893 SF	0.043 AC
TOTAL POST DEVELOPMENT	4,752 SF	0.109 AC

- KEY:
- PROPOSED DRAINAGE AREA
 - PROPOSED SUB-DRAINAGE AREAS
 - SUB DA 1
 - SUB DA 2
 - SUB DA 3
 - PROPOSED TIME OF CONCENTRATION



Revisions	No.	Description	Date	By
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PARCEL ID: 057-2-096-000

Use of These Drawings

1. Unless otherwise noted, these Drawings are intended for preliminary planning, coordination with other disciplines or utilities, and/or approval from the regulatory authorities. They are not intended as construction drawings unless noted as such or marked approved by a regulatory authority.

2. By use of these drawings for construction of the Project, the Owner represents that they have reviewed, approved, and accepted the drawings, obtained all necessary permits, and have met with all applicable parties/disciplines, including but not limited to, the Engineer and the Architect, to insure these plans are properly coordinated including, but not limited to, contract documents, specifications, owner/contractor agreements, building and mechanical plans, private and public utilities, and other pertinent permits for construction.

3. Owner and Architect, are responsible for final design and location of buildings shown, including an area measured a minimum five (5) feet around any building and coordinating final utility connections shown on these plans.

4. Prior to using these plans for construction layout, the user shall contact TCE to ensure the plan contains the most current revisions.

5. These Drawings are specific to the Project and are not transferable. As instruments of service, these drawings, and copies thereof, furnished by TCE are its exclusive property. Changes to the drawings may only be made by TCE. If errors or omissions are discovered, they shall be brought to the attention of TCE immediately.

6. It is the User's responsibility to ensure this copy contains the most current revisions.

For Local Permitting Only

Project Title

Rieley Properties, LLC
21 Morse Place
Burlington, VT

Stormwater Plan

Date:	02/09/2023
Scale:	1"=10'
Project Number:	22-321
Drawn By:	SRK
Project Engineer:	SRK
Approved By:	AAD
Field Book:	

C4-01

CONTRACTOR'S CERTIFICATION REQUIRED

PRIOR TO THE DESIGN ENGINEER CERTIFYING THAT THE INSTALLATION HAS BEEN INSTALLED IN ACCORDANCE WITH THE PERMITTED DESIGN, THE CONTRACTOR SHALL PROVIDE A CERTIFICATION THAT THE STORMWATER SYSTEM WAS INSTALLED AND TESTED (IF APPLICABLE) IN GENERAL ACCORDANCE WITH THE APPROVED DESIGN PLANS. STATE PERMITS REQUIRE THERE SHALL BE NO SIGNIFICANT DEVIATIONS FROM THE APPROVED PLANS WITHOUT PRIOR APPROVALS. THE DESIGN ENGINEER SHALL BE NOTIFIED AND ALLOWED TO OBSERVE THE CRITICAL PHASES OF CONSTRUCTION INCLUDING ANY REQUIRED TESTS. LIKEWISE, THE DESIGN ENGINEER SHALL BE NOTIFIED OF ANY DEVIATIONS FROM THE APPROVED PLANS. SINCE THE DESIGN ENGINEER DOES NOT CUSTOMARILY OBSERVE ALL PHASES OF THE WORK, OR ALL TESTING, HE WILL RELY ON THE CONTRACTOR'S CERTIFICATION AS THE BASIS FOR FINAL CERTIFICATION. CRITICAL STORMWATER SYSTEM COMPONENTS TO BE CERTIFIED MAY INCLUDE, BUT ARE NOT NECESSARILY LIMITED TO, SHAPES OF DRAINAGE SWALES, VOLUMES OF TREATMENT SYSTEM(S), ARE BUILT IN GENERAL ACCORDANCE WITH THE APPROVED DESIGN PLANS AND APPLICABLE PERMIT CONDITIONS.

CONTRACTOR NAME

AUTHORIZED AGENTS NAME

SIGNATUREDATE

NOTE ANY DEVIATIONS FROM APPROVED PLANS HERE:

CONTRACTOR CERTIFICATION FOR STORMWATER SYSTEM

TRUDELL CONSULTING ENGINEERS

LAST REVISED 08/17/2015

SWN-002

SOIL DEPTH AND QUALITY REQUIREMENTS

1. THE OPERATIONAL STORMWATER PERMIT REQUIREMENTS FOR THIS PROJECT INCLUDE PROVISIONS FOR RESTORING THE ABSORPTIVE CAPACITY OF DISTURBED AREAS WHERE INDICATED ON THE SITE PLAN(S) AND WITHIN THIS DETAIL. TO COMPLY WITH THESE REQUIREMENTS, TOPSOIL AND SUBSOIL IMPROVEMENTS, AMENDMENTS, DOCUMENTATION AND TESTING ARE REQUIRED PER THE INFORMATION HERE:

2. ALL AREAS INDICATED ON THE SITE PLANS WHICH ARE TO BE GRASSED AND HAVE BEEN DISTURBED OR COMPACTED BY CONSTRUCTION ACTIVITIES ARE SUBJECT TO SOIL DEPTH & QUALITY REQUIREMENTS AND SHALL HAVE FINAL GRADE PREPARED BY ONE OF THE FOLLOWING METHODS:

OPTION 1: REMOVE AND STOCKPILE EXISTING TOPSOIL PRIOR TO GRADING.

- STOCKPILE SOIL ON SITE IN A DESIGNATED CONTROLLED AREA, AT LEAST 50 FEET FROM SURFACE WATERS, WETLANDS, NEW FLOODPLAINS, OR OTHER CRITICAL RESOURCE AREAS.
- SCARIFY OR TILL SUBGRADE TO A DEPTH OF 4 INCHES. EXCEPT FOR WITHIN THE DRIP LINE OF EXISTING TREES, THE ENTIRE SURFACE SHALL BE DISTURBED BY SCARIFICATION.
- STOCKPILED TOPSOIL SHALL ALSO BE AMENDED, IF NEEDED, TO MEET THE ORGANIC CONTENT REQUIREMENTS:
 - PRE-APPROVED RATE: COMPOST SHALL BE INCORPORATED WITH AN ORGANIC MATTER CONTENT BETWEEN 40 AND 65% INTO THE TOPSOIL AT A RATIO 1:3 TO ACHIEVE 4 INCHES OF SETTLED TOPSOIL, OR
 - CALCULATED RATE: INCORPORATE COMPOSTED MATERIAL OR APPROVED ORGANIC MATERIAL AT A CALCULATED RATE TO ACHIEVE 4 INCHES OF SETTLED TOPSOIL AT 4% ORGANIC CONTENT;

3. REPLACE STOCKPILED TOPSOIL TO A MINIMUM DEPTH OF 4 INCHES PRIOR TO PLANTING; AND

4. RAKE TO LEVEL, AND REMOVE SURFACE ROCKS LARGER THAN 2 INCHES IN DIAMETER.

OPTION 2: AMEND EXISTING SITE TOPSOIL OR SUBSOIL IN PLACE.

- SCARIFY OR TILL SUBSOILS TO 4 INCHES OF DEPTH OR TO DEPTH NEEDED TO ACHIEVE A TOTAL DEPTH OF 8 INCHES OF UNCOMPACTED SOIL AFTER CALCULATED AMOUNT OF AMENDMENT IS ADDED. EXCEPT FOR WITHIN THE DRIP LINE OF EXISTING TREES, THE ENTIRE SURFACE SHALL BE DISTURBED BY SCARIFICATION;
- AMEND SOIL TO MEET ORGANIC CONTENT REQUIREMENTS:
 - PRE-APPROVED RATE: PLACE 1 INCH OF COMPOSTED MATERIAL WITH AN ORGANIC MATTER CONTENT BETWEEN 40 AND 65% AND ROTOTILL INTO 3 INCHES OF SOIL, OR
 - CALCULATED RATE: PLACE CALCULATED AMOUNT OF COMPOSTED MATERIAL OR APPROVED ORGANIC MATERIAL AND ROTOTILL INTO DEPTH OF SOIL NEEDED TO ACHIEVE 4 INCHES OF SETTLED SOIL AT 4% ORGANIC CONTENT;
 - RAKE BEDS TO SMOOTH AND REMOVE SURFACE ROCKS LARGER THAN 2 INCHES IN DIAMETER; AND
 - WATER OR ROLL TO COMPACT SOIL IN TURF AREAS TO 85% OF MAXIMUM DRY DENSITY.

5. IF AREAS THAT WERE INDICATED ON THE SITE PLAN AS NOT TO BE DISTURBED OR COMPACTED ARE IMPACTED BY CONSTRUCTION ACTIVITIES, THEY WILL BE REQUIRED TO BE RESTORED BY ONE OF THE METHODS ABOVE.

6. THE CONTRACTOR SHALL PROVIDE LAB REPORTS, VOLUMETRIC CALCULATIONS, OR OTHER EVIDENCE THAT THE FINAL SOIL PROPERTIES MEET THE ABOVE ORGANIC CONTENT REQUIREMENTS.

7. THE CONTRACTOR SHALL PREPARE A SOIL DEPTH SAMPLING PLAN WITH SOIL DEPTH TEST HOLE LOCATIONS AT A RATE OF 9 TEST HOLES PER ACRE OF LAND SUBJECT TO THIS STANDARD AND AT LEAST 50' APART FOR APPROVAL BY THE ENGINEER. SOIL DEPTH TEST HOLES SHALL BE EXCAVATED USING A HAND SHOVEL DRIVEN SOLELY BY BODY WEIGHT TO A DEPTH OF 8". THE CONTRACTOR SHALL PROVIDE EVIDENCE THAT THE FINAL SOIL PROPERTIES MEET THE ABOVE COMPACTION SAMPLING REQUIREMENTS.

8. SOIL DEPTH & QUALITY METHODS SHALL BE EMPLOYED TOWARDS THE END OF CONSTRUCTION AND ONCE ESTABLISHED SHALL BE PROTECTED FROM COMPACTION FROM MACHINERY OR VEHICLE TRAFFIC AND FROM EROSION. AREAS WHICH ARE COMPACTED OR DAMAGED SHALL BE REESTABLISHED PER THE METHODS ABOVE.

9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING COMPLIANCE WITH THIS STANDARD.

SOIL DEPTH AND QUALITY

TRUDELL CONSULTING ENGINEERS

LAST REVISED 01/13/2019

SWN-003

TYPICAL STORM DRAIN TRENCH

TRUDELL CONSULTING ENGINEERS

LAST REVISED 03/15/2021

SW 010.1.1

BIORETENTION AREAS

TRUDELL CONSULTING ENGINEERS

LAST REVISED 05/04/2016

SW 030.1.2

BIORETENTION OUTLET STRUCTURE

TRUDELL CONSULTING ENGINEERS

LAST REVISED 05/04/2016

SW 030.1.2

BIORETENTION UNDERDRAIN CLEANOUT

TRUDELL CONSULTING ENGINEERS

LAST REVISED 03/15/2021

SW 030.1.3



21 Morse Place
TCE Project #22-321



21 Morse Place
TCE Project #22-321



21 Morse Place
TCE Project #22-321



21 Morse Place
TCE Project #22-321



Civil Engineering

Environmental Services

Landscape Architecture

Underground Locating

Land Surveying

www.tcevt.com | vtlocators.com

Department of Permitting & Inspections

Zoning Division
645 Pine Street
Burlington, VT 05401
Telephone: (802) 865-7188

William Ward, Director
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Garret King, Associate Planner
Joseph Cava, Permit Technician
Ted Miles, Code Compliance Officer
vacant, DPI Administrator



TO: Development Review Board
FROM: Scott Gustin & Garret King
DATE: April 4, 2023
RE: ZP-23-9; 98 Sunset Cliff Road

=====

Note: These are staff comments only; decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.

Zone: WRL Ward: 4N

Owner/Applicant: Keye & Lucy Wong / Elizabeth Herrmann

Request: Demolish existing single family residence and replace with new single family residence.

Applicable Regulations:

Article 3 (Applications, Permits, and Project Reviews), Article 4 (Maps & Districts), Article 5 (Citywide General Regulations), Article 6 (Development Criteria & Guidelines), Article 8 (Parking)

Background Information:

The applicants are looking to demolish the current single family home and to build a new single family residence. The project plans show sensitivity to the lakeshore by setting the new home further back from the water's edge than the existing home and by establishing a front yard meadow and the required lakeshore low mow zone.

The proposed site plan also shows a new pedestrian path down to the existing sea wall with the addition of new steps that will reach into the flood zone. A revised site plan adjusts these steps to be entirely on the subject property (rather than extending onto the neighboring property). Except for these steps, no changes will be made to the existing sea wall. As required, project plans for this small encroachment into the flood zone have been sent to VT Agency of Natural Resources for review and comment. The Agency has recommended confirming that all materials within the flood zone are constructed of flood resistant materials and are anchored in place. The applicant has confirmed the steps will be concrete. Potential wooden treads would be anchored to the concrete.

The Conservation Board reviewed this application February 6, 2023 and again March 6, 2023. At their initial review, the Board recommended continuation of review to a future date to allow the applicant additional time to conduct soils analysis as to stormwater infiltration potential. By March 6, that analysis had been done and provided for Board review. At their February 6 meeting, the Board unanimously recommended project approval.

The Design Advisory Board reviewed this application February 14, 2023 and unanimously recommended approval as proposed.

The Development Review Board reviewed and approved this application March 7, 2023. Within the 30-day appeal period, several neighbors requested that the Board re-open review of the application. Mailed meeting notice had not been provided to them as required. Therefore, they had not participated in the March 7 DRB meeting. On March 21, 2023, the Board voted to re-open review of the application. This report is updated to include ANR flood zone comment, Conservation Board recommendation, and adjustment of the lake access steps onto 98 Sunset Cliff.

Prior zoning permit actions for this property.

- 5/15/2011, Approval for replace a 20`x8`x10” sea wall section
- 6/29/1988, Approval for repair by replacement of 20` section of concrete sea wall
- 7/26/1984, Approval for demolition of existing single family home and to construct a new single family home with attached garage
- 9/13/1976, Approval to erect a 6`x40` stockade fence
- 5/28/1975, Approval to replace 8`x100` concrete sea wall
- 5/12/1975, Approval to erect single family house and remove existing house

Recommendation: **Certificate of appropriateness approval** as per, and subject to, the following findings and conditions:

I. Findings

Article 3: Applications, Permits, and Project Reviews

Part 3: Impact Fees

Applicant will be required to pay impact fees set forth and calculated by the Impact Fee Administrative Regulations based on the net new square footage of the proposed residence. There is a net new square footage of 3,398 sf as compared to the existing home. **(Affirmative finding as conditioned)**

Article 4: Maps & Districts

Sec. 4.4.5, Residential Districts:

(a) Purpose

(2) Waterfront Residential Low Density (RL-W)

The property is in the RL-W zone and is subject to the development standards of this zone. The district is intended primarily for low density development in the form of single-family detached dwellings and duplexes. The proposed construction of a new home fits within the district’s purpose. **(Affirmative finding)**

(b) Dimensional Standards & Density

Residential density will remain unchanged at one residential unit for the 27,000sf lot.

Prior/Current lot coverage is 23.22%, and proposed lot coverage will be 33.8% as calculated on project plans. The proposed increase in lot coverage complies with the 35% maximum permissible in this zone.

The home's setback from the road will be beyond 50.' At this distance, averaging of neighboring front yard setbacks is not required. Side setbacks will be 14ft which is slightly greater than the district requirement of 10% of lot width (13.5' side setback). The lakeshore setback is greater than the minimum required 75' from the 100' elevation mark.

The tallest point of the proposed home is noted at 25' 10 61/64" and is under the 35' maximum permitted height. **(Affirmative finding)**

(c) Permitted & Conditional Uses

The replacement single family home is a permitted use in the RL-W zone. **(Affirmative finding)**

(d) District Specific Regulations

1. Setbacks

See above

2. Lot Coverage

See above

3. Accessory Residential Structures and Uses

Connected porches as accessory uses are permitted in the RL-W zone. **(Affirmative finding)**

4. Residential Density

No change of density to previous permitted use, and the single family home is still limited to occupancy by a family as defined in Article 13 of the Comprehensive Development Ordinance. **(Affirmative finding)**

5. Uses

Not applicable

6. Residential Development Bonuses

Not applicable

Sec. 4.5.4, Natural Resource Protection Overlay (NR) District

(c) District Specific Regulations: Riparian and Littoral Conservation Zone

The property is subject to the *Riparian and Littoral Conservation Zone* as it is within the 250' of Lake Champlain lakeshore. Almost all existing trees will be retained, and several new trees will be planted. As required, a low mow zone will be established between the residence and the existing retaining walls. Note the calculated size of the low mow zone is 5,386.39 sf and complies with the area requirement relative to the size of redevelopment.

The proposed lot coverage exceeds 2,500 sf, so a residential stormwater management plan will be needed, subject to review and approval by the stormwater administrator. The project plans depict a bioretention area on the lakeside of the proposed home that will collect and attenuate stormwater runoff. The Conservation Board recommended approval of the project. Stormwater management is subject to final review and approval by the stormwater administrator. **(Affirmative finding as conditioned)**

Sec. 4.5.4, Natural Resource Protection Overlay (NR) District

(a) District Specific Regulations: Special Flood Hazard Area

(7) Special Review Criteria

A. The danger to life and property...

The current sea wall and proposed steps pose no danger to life and protects the property from shoreline erosion. The addition of stairs alongside the current sea wall will cause no changes to lake behavior. **(Affirmative finding)**

B. The danger that material may be swept onto other lands...

The current sea wall is solid reinforced concrete, and the addition of concrete stairs will not cause pieces to dislodge from the wall or cause pieces to end up on other properties. **(Affirmative finding)**

C. The proposed water supply and sanitation systems...

The proposed plans show that there will be connection to the existing sewer line. **(Affirmative finding)**

D. The susceptibility of the proposed facility and its contents to flood damage...

The current sea wall was made to protect the shoreline against flooding and erosion, and additional access stairs will not change the effectiveness of the wall. **(Affirmative finding)**

E. The importance of the services provided...

New steps allow for access to the water's edge. **(Affirmative finding)**

F. The availability of alternative locations...

In order to provide the intended access, the steps must descend into the floodplain. **(Affirmative finding)**

G. The compatibility of the proposed use with existing development...

The current sea wall and proposed stairs fit with current and adjacent properties. Seawalls with lakeshore access are a common element along the city's shoreline. **(Affirmative finding)**

H. The relationship of the proposed use to the Municipal Development Plan

The construction of new stairs conforms to current uses and does not conflict with the Municipal Development Plan. **(Affirmative finding)**

I. The safety of access to the property in times of flood of ordinary and emergency vehicles.

The construction of new stairs will not affect emergency vehicle access to the property. **(Affirmative finding)**

J. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood-waters expected at the site

The new steps will not affect water levels or associated flood effects of the lake. **(Affirmative finding)**

K. Conformance with all other applicable requirements of this ordinance

The construction of new stairs will conform to all requirements of this ordinance. **(Affirmative finding)**

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

The applicant is not seeking additional lot coverage. **(Not applicable)**

Sec. 5.2.4, Buildable Area Calculation

The lot is not subject to the steep slope overlay and is not over 2 acres in size so it does not qualify for buildable area calculation. **(Not applicable)**

Sec. 5.2.5, Setbacks

See above.

Sec. 5.2.6, Building Height Limits

See above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See above

Sec. 5.5.1, Nuisance Regulations

The proposed project will not create any nuisance, as the land use will not change. **(Affirmative finding)**

Sec. 5.5.2, Outdoor Lighting

Outdoor lighting fixture specifications have been provided. Lighting locations are shown in the elevations drawings. Fixtures include: Type 1 (Recessed 700 lumen output), Type 2 (Decorative sconce 100 lumen output), Type 3 (Discreet wall sconce 701 lumen output). All proposed outdoor lighting fixtures utilize low output lamps and are acceptable for this residential installation.

(Affirmative finding)

Sec. 5.5.3, Stormwater and Erosion Control

See Sec 4.5.4 (c) for stormwater management.

Over 400sf of land disturbance is proposed, so an Erosion Prevention and Sediment Control plan is required. This plan is subject to final review and approval by the stormwater administrator.

(Affirmative finding as conditioned)

Article 6: Development Review Standards

Part 1, Land Division Design Standards

Not applicable.

Part 2, Site Plan Design Standards

Sec. 6.2.2, Review Standards

(a) Protection of important natural features

The subject property is located along the Lake Champlain shoreline north of Appletree Point. The shoreline is an identified significant natural area. Much of the property is affected by the Natural Resource Protection Overlay District, specifically the riparian and littoral conservation zone, which stretches inland 250' from the 95.5' lakeshore elevation. A new low-mow area will be established along the property's lakefront as required. The only work being done in the flood zone

is the construction of new stairs that will grant pedestrian access to the water's edge.
(Affirmative finding)

(b) Topographical alterations

Much of the lot slopes gently towards the lake but drops steeply nearest the lakeshore. Existing topographic conditions will remain largely unchanged. **(Affirmative finding)**

(c) Protection of important public views

Distant terminal views of Lake Champlain and the Adirondack mountains will remain essentially unchanged. There are no public views associated with this property. The proposed home is modest in scale, and most mature vegetation will be retained. Its construction will not adversely affect public views from the lake towards shore. **(Affirmative finding)**

(d) Protection of important cultural resources

The property contains no known archaeological resources. Much of the lakeshore is archaeologically sensitive. If, during construction, artifacts are unearthed, it is the applicant's responsibility to stop earthwork and to contact the Vermont Division for Historic Preservation for further guidance. **(Affirmative finding as conditioned)**

(e) Supporting the use of alternative energy

There is no indication that the proposed home will utilize alternative energy. Solar energy utilization is encouraged. In any event, the home will not adversely impact the actual or potential use of alternative energies by neighboring properties. **(Affirmative finding)**

(f) Brownfield sites

The subject property is not an identified brownfield. **(Not applicable)**

(g) Provide for nature's events

See Sec. 4.5.4 (c) for stormwater.

The project plans depict a sheltered entry for the front entryway as well as over the front of the garage. **(Affirmative finding)**

(h) Building location and orientation

The location of the proposed home will be shifted inland as compared to the existing home. It will be set essentially in the middle of the lot. The new home will have an open front entryway facing inland towards the front yard and private road beyond.

As required, the attached garage is set behind the front of the house. **(Affirmative finding)**

(i) Vehicular access

The existing driveway will be reconstructed and reconfigured to serve the proposed home. Sight lines at the driveway's intersection with the road remain essentially unchanged. **(Affirmative finding)**

(j) Pedestrian access

This criterion requires that a pedestrian walkway be provided from the front door to the public sidewalk or street. This property is along a private road without sidewalks. No front walkway is

proposed. Consistent with past practice in such situations, no front walkway is required. Convenient access between the driveway and side and front entries is proposed. **(Affirmative finding)**

(k) Accessibility for the handicapped

No handicap accessibility is evident or required with this proposal. **(Not applicable)**

(l) Parking and circulation

Parking will be provided within the attached garage and the driveway. Parking spaces are dimensionally compliant. Circulation and access is provided via the private driveway.

Residential driveways are generally limited to 18' in width but are allowed to widen as they approach the garage. Such is the case in this proposal. There is a turn-around that causes the driveway to reach ~ 32' width. This problem has been remedied in revised plans that depict the turn-around area with concrete pavers to contrast with the gravel driveway. This solution is similar to others in the past used for turn-around areas. **(Affirmative finding)**

(m) Landscaping, fences, and retaining walls

A complete landscaping plan has been provided and notes that most of the current trees will be retained. As noted above, a low-mow zone will be established along the property's lakeshore with additional shrubs planted to soften the edge with the existing seawall. The proposed landscaping plan depicts a variety of new plantings to accent the building and its front entrance. Some landscaping will provide screening. Proposed species are not invasive and appear to be acceptable. **(Affirmative finding)**

(n) Public plazas and open space

No public plaza or open space is included or required in this proposal. **(Not applicable)**

(o) Outdoor lighting

See Sec. 5.5.2.

(p) Integrate infrastructure into the design

Existing electric lines appear to be aboveground. This new construction will require buried electrical service as confirmed by the applicant. Utility connections to the house are shown on the plans as well as locations of all applicable utility lines and pipes. Locations of mechanical equipment is noted and will be screened with material to match the siding of the house.

(Affirmative finding)

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

(a) Relate development to its environment

1. Massing, Height, and Scale

The proposed home, along with its accessory porches, is similar in size and mass to the current home. The mass of the house will be defined by straight lines and square edges that clearly define the individual components of the house. It appears to have a symmetrical appearance when viewed from the front with two floors in the center and lower single stories extending off to the right and left sides. The proposed structure will be two stories just like the current building. The scale of the home is similar to nearby properties on the street including the

additional attached porches. The reduced setback from the road is less than adjacent properties which pulls the new build away from the lakeshore. **(Affirmative finding)**

2. Roofs and Rooflines

The roof will be a dark colored flat membrane roof squared off with parapets matching the building siding that conceal the roof deck. This style is different from the more common hip and gable type roofs on the adjacent properties. The proposed roof design; however, is consistent and matches the modern style of the building. **(Affirmative finding)**

3. Building Openings

The windows and doors are of matching style to the rest of the home's contemporary design. The windows appear as single pane windows without muntins and sit in unadorned frames. Overall, large amounts of glazing will be present with the majority on the lakeside portion of the house to provide views of the lake for the residents. **(Affirmative finding)**

(b) Protection of important architectural resources

The existing building is not listed on the state or national historic register, nor has it been deemed eligible for listing. **(Affirmative finding)**

(c) Protection of important public views

See 6.2.2 (c) above.

(d) Provide an active and inviting street edge

As with most other homes along Sunset Cliff Road, the proposed home is set back relatively far from the road. There is little perceptible streetscape in this neighborhood. As proposed, several trees and a row of flowering shrubs will stretch across the majority of the property's frontage. Behind this landscaping, the proposed home incorporates a readily identifiable front entrance facing the street. At the entrance to the house, there is a covered walkway to the main door along with pavers to the front lawn and porch. **(Affirmative finding)**

(e) Quality of materials

The color and material for the new construction will mainly consist of dark charred wooden siding. The parapet extending above the flat roof deck will be clad in the same material. Accent siding for the covered entry and porch will be a stained wooden material. The aluminum clad wooden windows will be a black/dark color to match the siding of the house. The materials proposed are of acceptable quality and durability for this new construction. **(Affirmative finding)**

(f) Reduce energy utilization

The proposed building must comply with the current energy efficiency standards of Burlington and the State of Vermont. **(Affirmative finding as conditioned)**

(g) Make advertising features complimentary to the site

No advertising is included in this proposal. **(Not applicable)**

(h) Integrate infrastructure into the building design

All mechanical equipment for the structure will be attached to the building and screened to merge with the siding of the rest of the structure. **(Affirmative finding)**

(i) Make spaces safe and secure

The proposed building must comply with the city's current egress requirements. Building entries will be illuminated. **(Affirmative finding)**

Article 8: Parking

Sec. 8.1.9, Maximum On-Site Parking Spaces

The construction of the new home will conform to the maximum limit of 3 parking spaces for single family homes in neighborhood districts. **(Affirmative finding)**

II. Conditions of Approval

1. **Prior to release of the zoning permit**, both the erosion prevention and sediment control plan and the stormwater management plan shall be reviewed and approved by the stormwater administrator.
2. At least **7 days prior to the issuance of a certificate of occupancy**, the applicant shall pay to the Planning & Zoning Department the impact fee as calculated by staff based on the net new square footage of the proposed development.
1. Per Sec. 4.5.4, (f) 8, construction within the Special Flood Hazard Area is subject to the following conditions:
 - C. All development:
 - (i) New construction and/or substantial improvements to structures shall be reasonably safe from flooding and be:
 1. Designed and adequately anchored to prevent flotation, collapse, or lateral movement during the occurrence of the base flood;
 2. Constructed of materials resistant to flood damage;
 3. Constructed by methods and practices that minimize flood damage; and
 4. Constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
 - (ii) All development shall be designed to minimize flood damage to the proposed development and to public facilities and utilities;
 - (iii) All development shall be designed to provide adequate surface drainage to reduce exposure to flood hazards;
 - (iv) All new construction and substantial improvements that have fully enclosed areas below the lowest floor shall:
 1. Be solely used for parking of vehicles, storage, or building access, and such a condition shall clearly be stated on any permits; and,
 2. Be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Such designs must be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria: A minimum of two openings of two walls having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters;
 - (v) All necessary permits shall be obtained from those governmental agencies

from which approval is required by federal or state law.

- D. Residential Development:
 - (i) Not applicable.
 - E. Non-Residential Development:
 - (i) Not applicable.
 - F. Water Supply Systems:
 - Not applicable;
 - G. On-Site Waste Disposal Systems:
 - Not applicable;
 - H. Recreational Vehicles:
 - (i) Not applicable.
3. If, during construction, artifacts are unearthed, it is the applicant's responsibility to stop earthwork and to contact the Vermont Division for Historic Preservation for further guidance.
 4. The Applicant/Property Owner is responsible for obtaining all necessary Zoning Permits and Building Permits through the Department of Public Works as well as other permit(s) as may be required, and shall meet all energy efficiency codes of the city and state.
 5. Standard permit conditions 1-15.

NOT FOR
CONSTRUCTION

DRAFT

NO.	DESCRIPTION	DATE
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WONG RESIDENCE

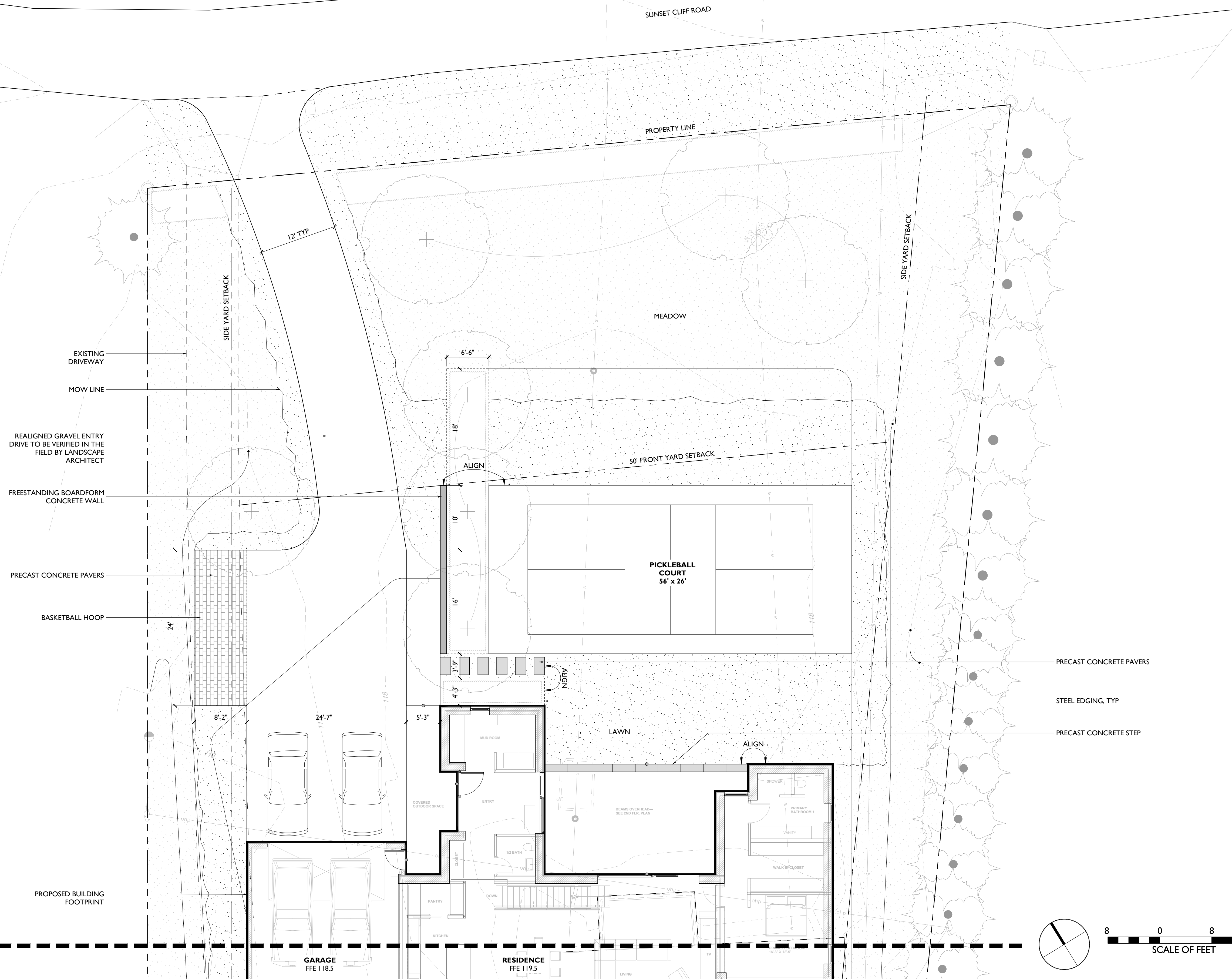
98 SUNSET CLIFF RD
BURLINGTON, VT 05408

LAYOUT AND MATERIALS PLAN

JOB NO. 22-272
SCALE: 1/8"=1'-0"
DRAWN BY: XX
DATE: 03.17.2023

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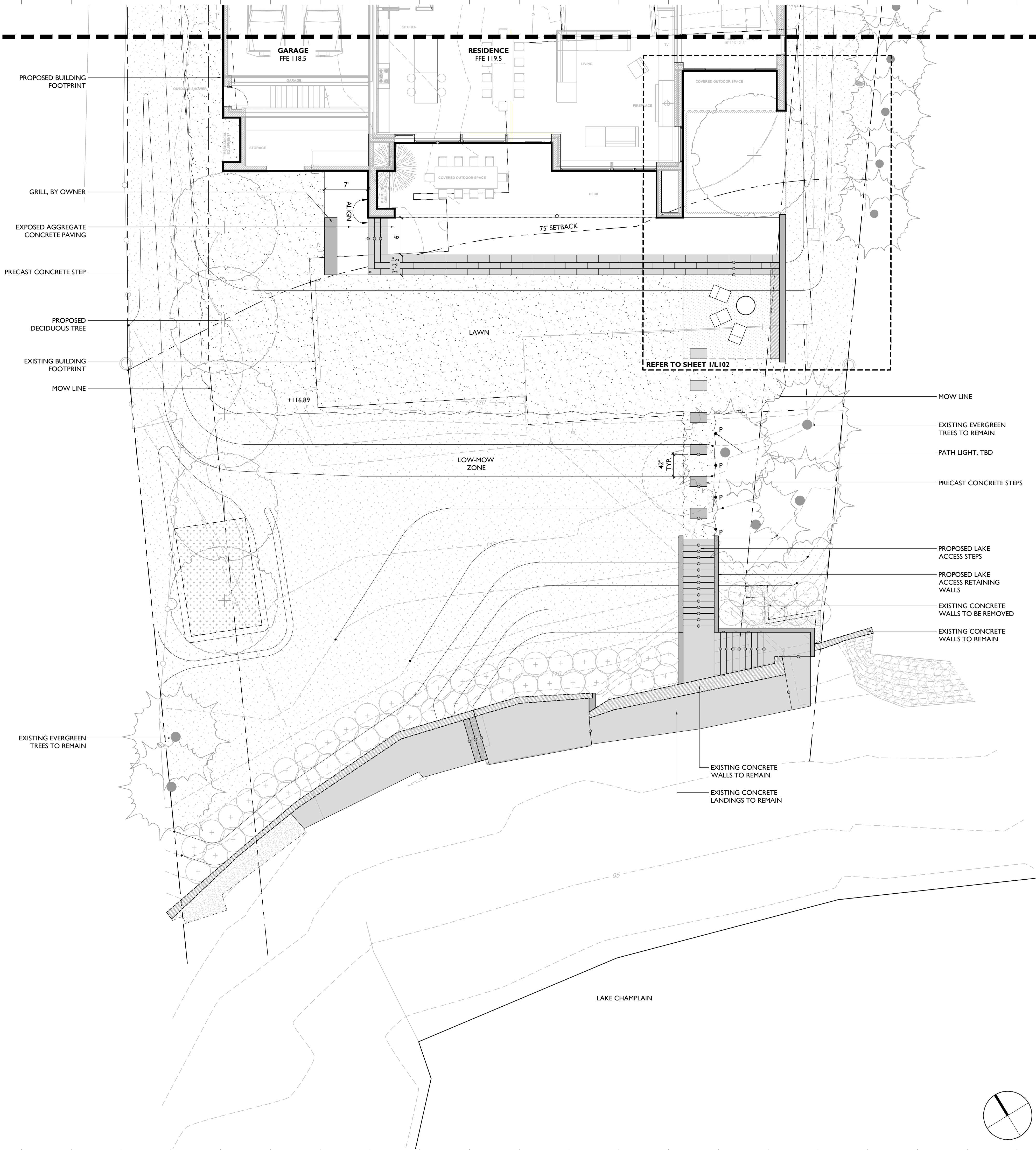


MATCHLINE: SEE SHEET L100
MATCHLINE: SEE SHEET L101

PLOT DATE: 3/17/2023 10:28 AM

MATCHLINE: SEE SHEET L100
MATCHLINE: SEE SHEET L101

NOT FOR
CONSTRUCTION



DRAFT

NO.	DESCRIPTION	DATE
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WONG RESIDENCE
98 SUNSET CLIFF RD
BURLINGTON, VT 05408

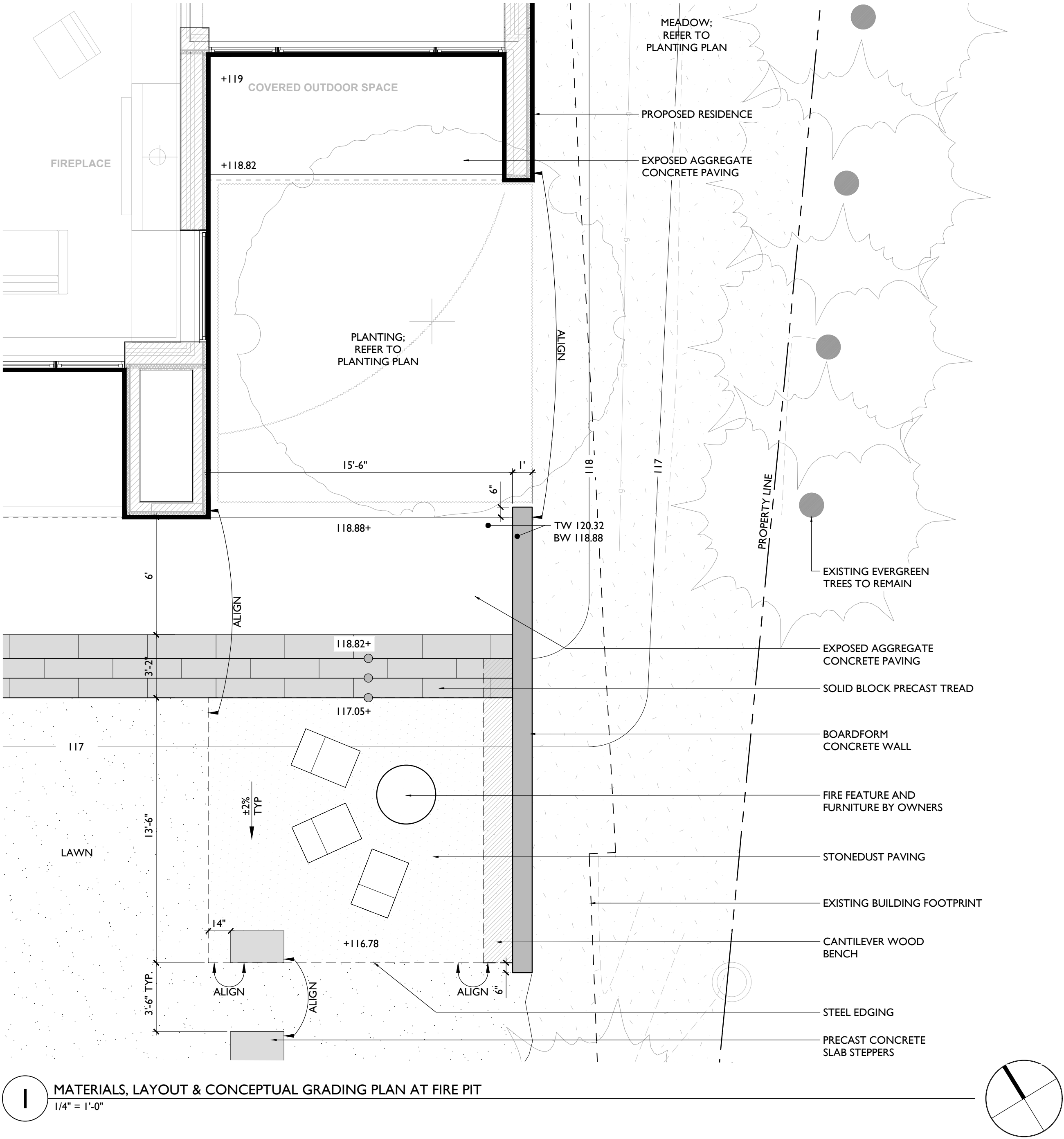
LAYOUT AND
MATERIALS PLAN

JOB NO. 22-272
SCALE: 1/8"=1'-0"
DRAWN BY: XX
DATE: 03.17.2023

L101

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NOT FOR
CONSTRUCTION



DRAFT

NO.	DESCRIPTION	DATE
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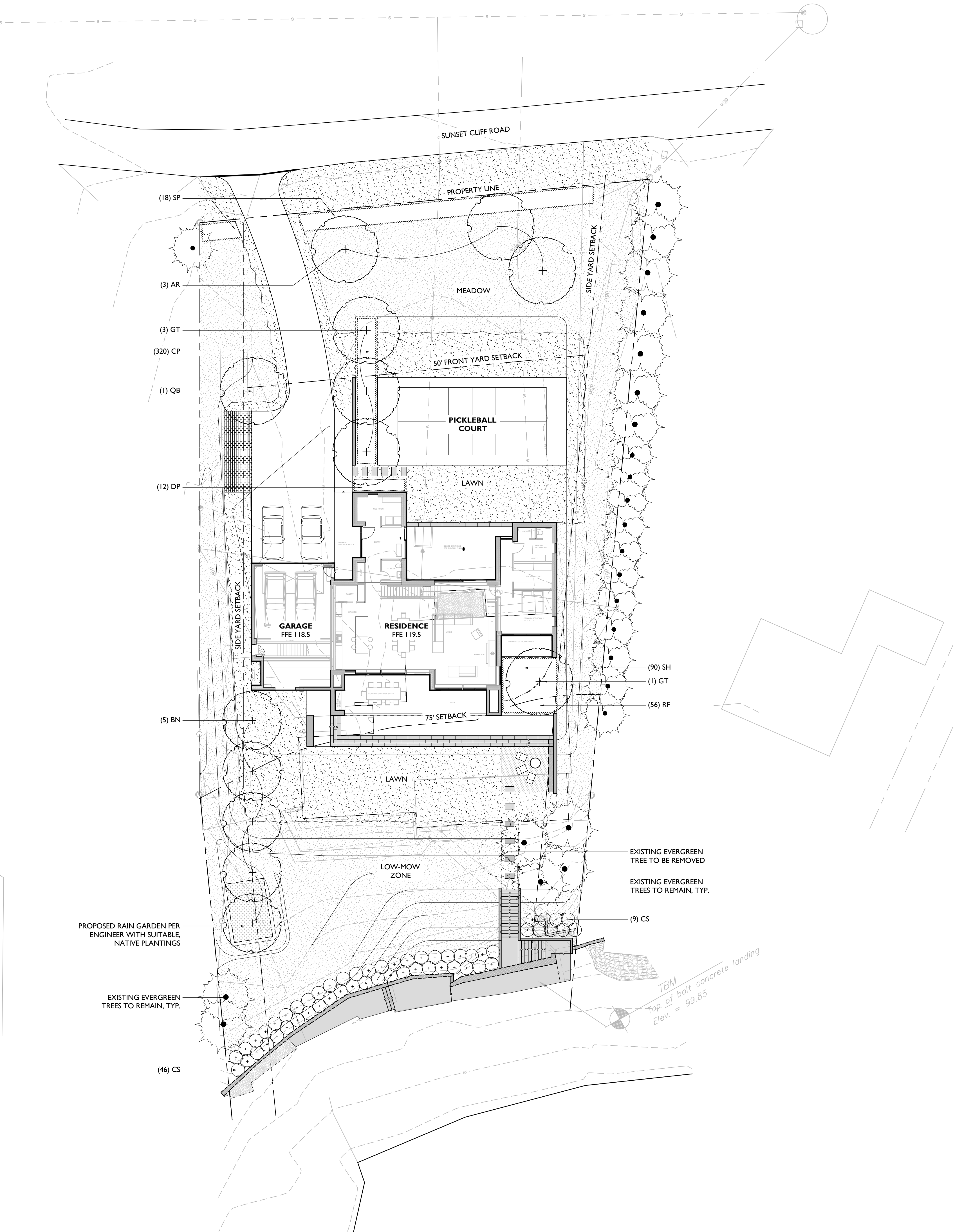
WONG RESIDENCE
98 SUNSET CLIFF RD
BURLINGTON, VT 05408

LAYOUT, MATERIALS
AND GRADING
PLAN AT FIRE PIT

JOB NO. 22-272
SCALE: 1/4" = 1'-0"
DRAWN BY: XX
DATE: 03.17.2023

L102

PLOT DATE: 3/21/2023 11:06 AM



PLANT SCHEDULE					
KEY	QTY.	SCIENTIFIC NAME	COMMON NAME	SIZE	SPACING
TREES					
AR	3	Acer rubrum 'Red Sunset'	RED MAPLE	6'-7" CAL.	AS SHOWN
BN	5	Betula nigra 'Heritage' (single stem)	HERITAGE RIVER BIRCH	6'-7" CAL.	AS SHOWN
GT	4	Gledisia triacanthos inermis var. 'Shademaster'	SHADEMASTER HONEYLOCUST	6'-7" CAL.	AS SHOWN
QB	1	Quercus bicolor	SWAMP WHITE OAK	6'-7" CAL.	AS SHOWN
SHRUBS					
CS	55	Cornus sericea 'Firedance'	FIREDANCE REDTWIG DOGWOOD	#5	AS SHOWN
SP	18	Syringa patula 'Miss Kim'	MISS KIM LILAC	#5	5' O.C.
ORNAMENTAL GRASSES					
CP	320	Carex pensylvanica	OAK SEDGE	1 GAL.	10" O.C.
SH	90	Sporobolus heterolepis	PRAIRIE DROPSEED	1 GAL.	18" O.C.
PERENNIALS					
DP	12	Dennisia punctilobula	HAY-SCENTED FERN	1 GAL.	18" O.C.
RF	56	Rudbeckia fulgida 'Goldsturm'	BLACK-EYED SUSAN	1 GAL.	18" O.C.

PLANTING NOTES

- All plant material in the plant schedule shall be nursery grown in accordance with ANSI in accordance with Z.60.1 Standards for measurement of nursery stock.
- All plants shall be guaranteed by the Contractor for a period of one year from date of receipt of Provisional Acceptance of the completed installation by the Owner.
- Replacement plantings will be required prior to Final Acceptance for any plants which are missing, not true to specifications, have died or are unhealthy or uncharacteristic of the species (due to excessive pruning, dieback or other reasons).
- All plant materials shall be selected and tagged at the nursery by Landscape Architect.
- The Landscape Architect's approval is required for any plant material substitutions.
- The Contractor is responsible for immediately notifying the Landscape Architect if any plant quantity discrepancies exist between the planting plan and the plant list.
- All shrubs and trees will be sprayed with the anti-desiccant "Wilt-Pruf" (or approved equal) prior to the first Winter (no later than November 30).
- The Landscape Contractor shall have the General Contractor locate all underground utilities in areas to be landscaped prior to commencing any excavation. Adjustments to tree locations will be allowed where utility conflicts are clearly a problem and with prior site approval by Landscape Architect.
- All plant bed, shrub and tree location shall be staked in the field by Contractor for Landscape Architects approval prior to installation.
- Adjustments to plant beds shall be approved by Landscape Architect.
- General Contractor is responsible for all erosion control measures during construction.
- All disturbed areas are to be topsoiled and seeded or sodded, as indicated in the planting plan.
- Mulch shall consist of double-shredded hardwood mulch or approved equal and Contractor is responsible for providing samples of mulch to Landscape Architect. Mulch plant materials as shown on plan and details.
- It is the intent of this contract to avoid any disturbance to existing trees or shrubs on site other than those specifically designated for transplant or removal.
- Liquidated damages for trees damaged by construction operation shall be \$500 per caliper inch. Shrubs shall be \$100 each.
- During construction, and until the end of warranty period, existing trees that are showing signs of stress as determined by the Landscape Architect are to be deep root fertilized, two injections per caliper inch per tree at 18" - 24" depth with Peter's 20/20/20 fertilizer or Landscape Architect approved equal.
- Contractor is responsible for verifying and confirming all plant counts as supplied by the Landscape Architect with field conditions as constructed. Any discrepancies shall be reported to Landscape Architect for approval and direction.
- Tree transplanting shall be performed by a suitable hydraulic tree spade, sized as necessary to perform the work.
- Prior to commencement of any construction, all existing trees to remain shall receive tree protection fence at outer edge of dripline whenever possible.

NOT FOR
CONSTRUCTION

DRAFT

NO.	DESCRIPTION	DATE
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WONG RESIDENCE

98 SUNSET CLIFF RD
BURLINGTON, VT 05408

PLANTING PLAN

JOB NO. 22-272
SCALE: 1/16"=1'-0"
DRAWN BY: XX
DATE: 03.17.2023

L300





98 Sunset Cliff Rd.
Burlington VT

Exterior door, window, siding and lighting spec
See attached cut sheets and images

All glazed exterior doors:
MSORA Comfort Optimo XLS in black, triple glazed



All windows:
MSORA Comfort Optimo XLS in black, triple glazed



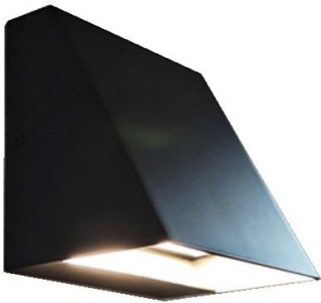
Exterior light fixtures:
Type 1: Recessed



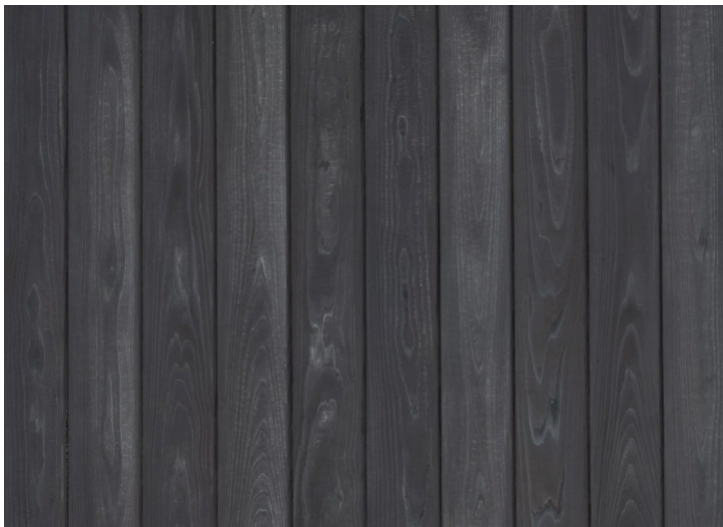
Type 2: Decorative sconce
Lumens each: 100



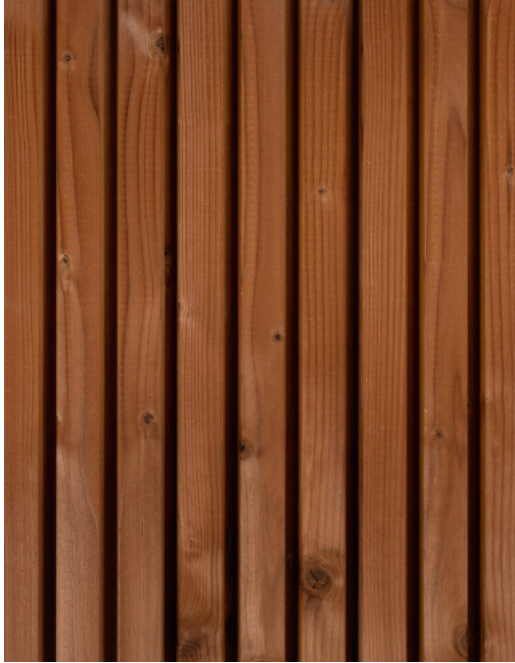
Type 3: Discreet wall sconce
Lumens each: 701

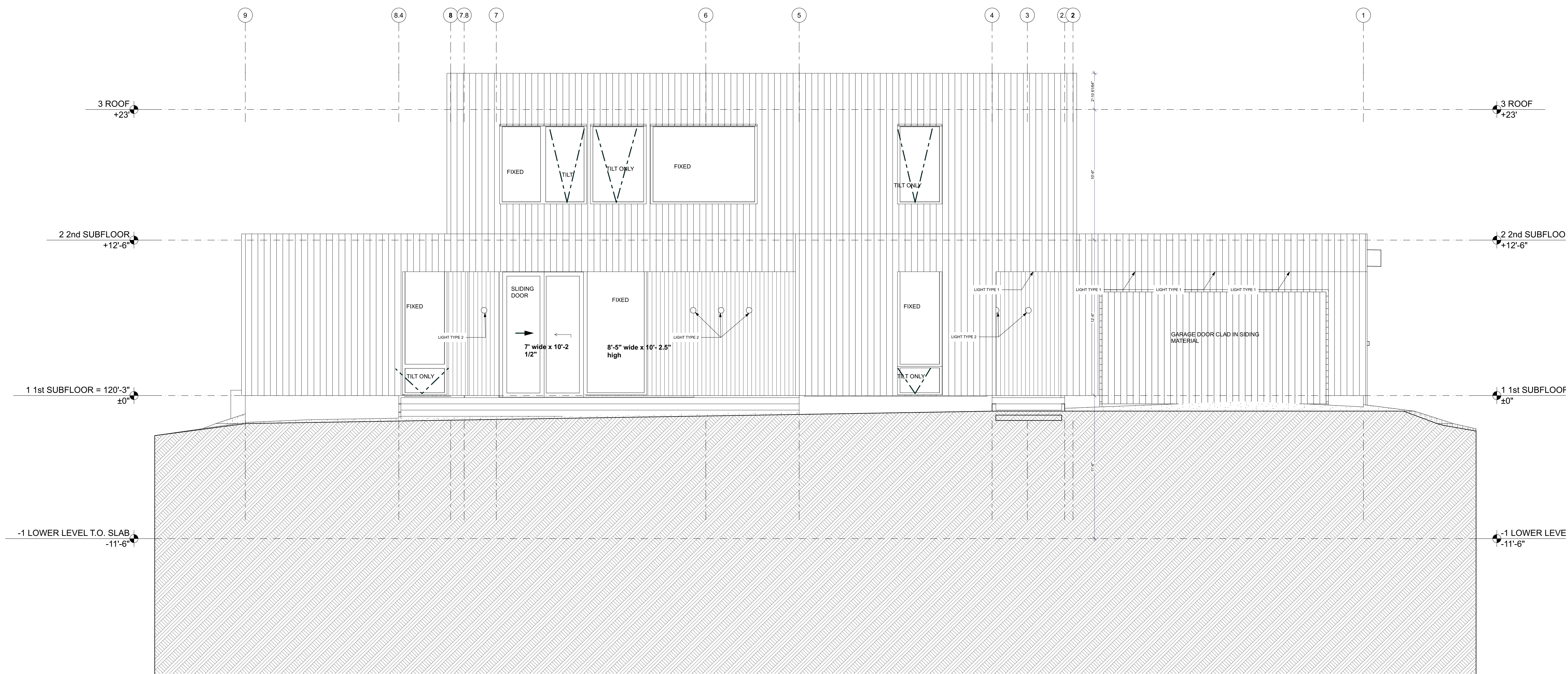


Siding: Nakamoto forestry Gendai- Dark Grey 6" vertical
<https://nakamotoforestry.com/product-finishes/gendai-dark-gray/>

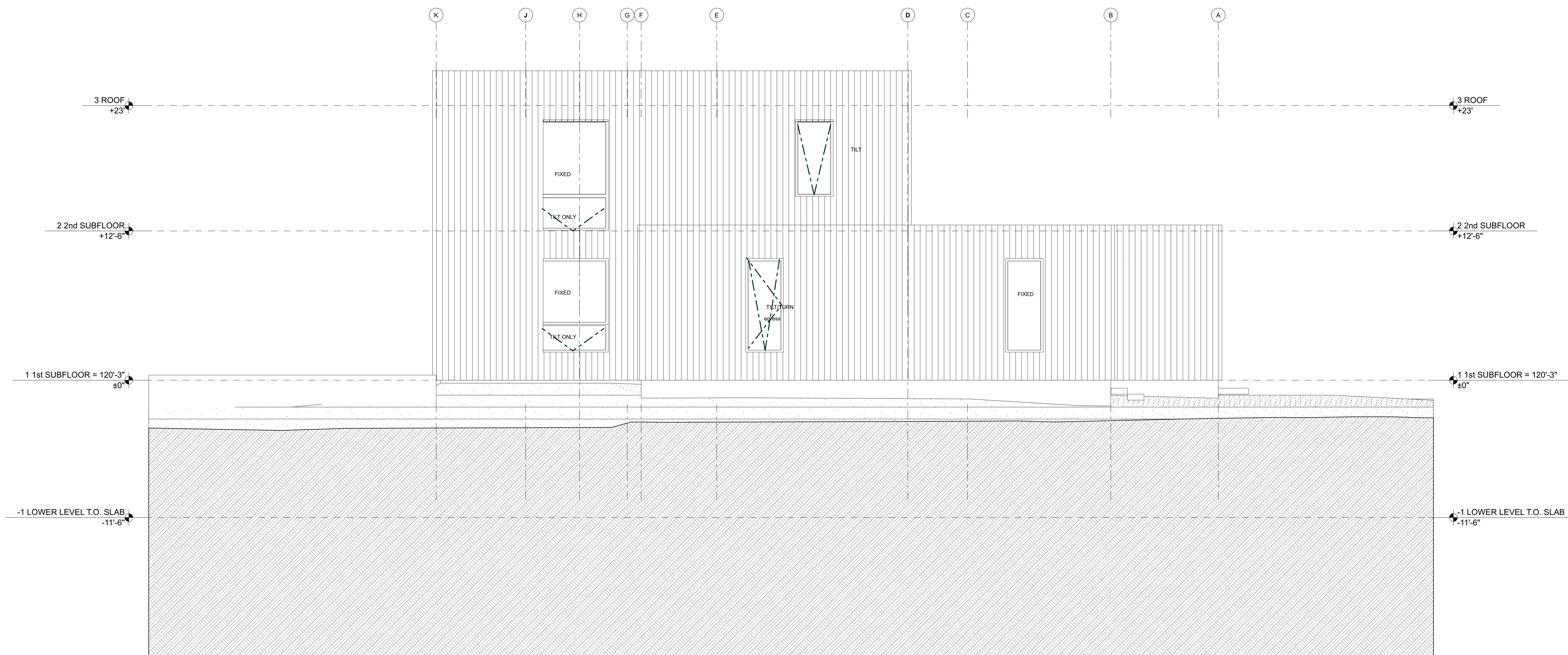


Siding at covered entry and porch with shade structure:
Lunawood triple shadow natural 5 ½" vertical





1 NORTH ELEVATION
SCALE: 1/4" = 1'-0"

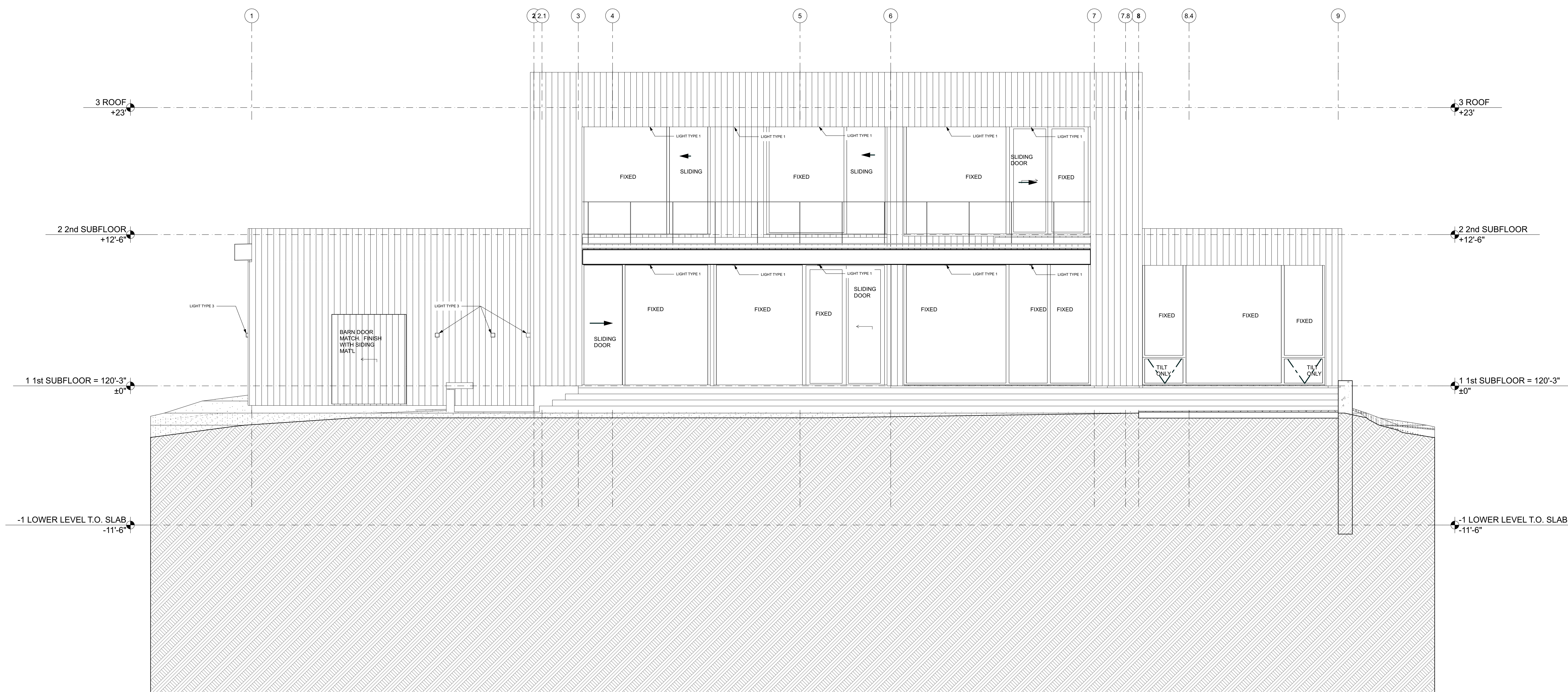


2 EAST ELEVATION
SCALE: 1/4" = 1'-0"

DATE	DESCRIPTION
1-11-23	FOR PERMITTING

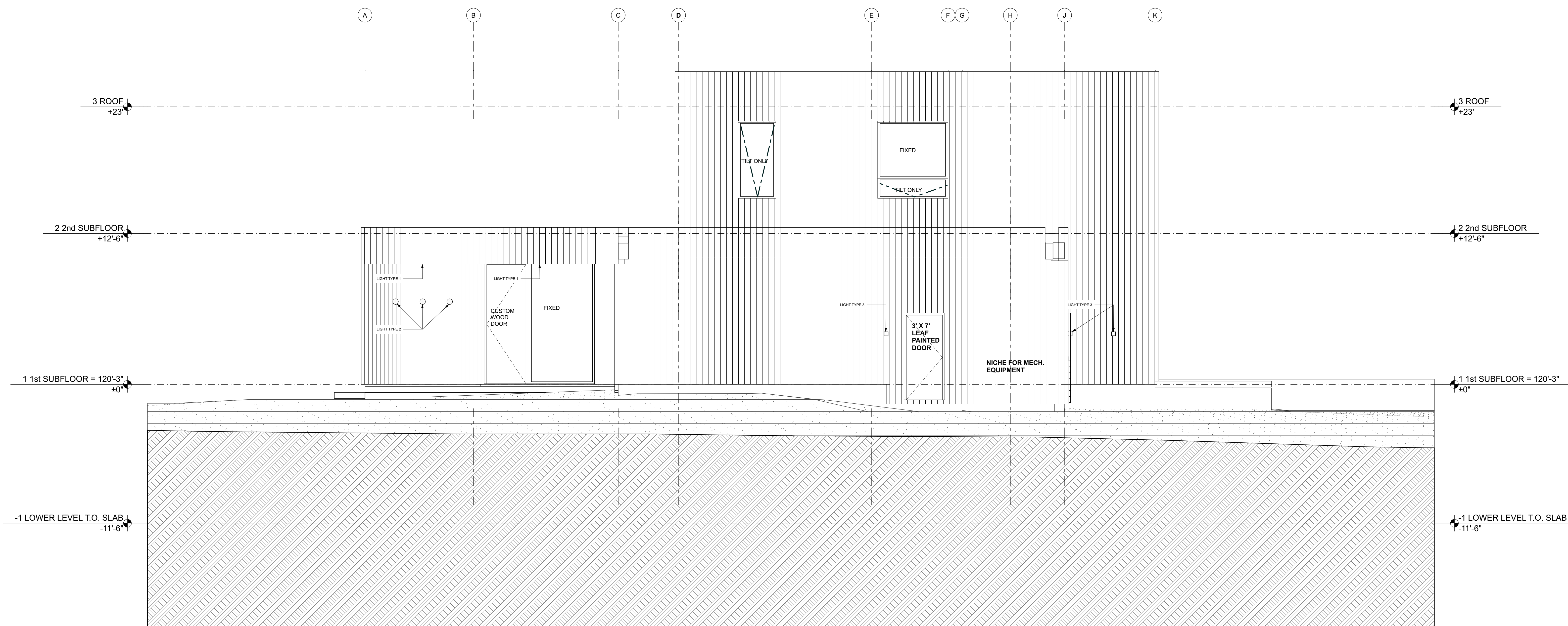
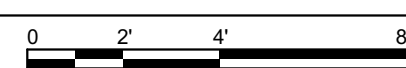
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EXTERIOR
ELEVATIONS



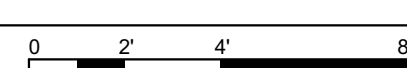
1 SOUTH ELEVATION

SCALE: 1/4" = 1'-0"



2 WEST ELEVATION

SCALE: 1/4" = 1'-0"



DATE	DESCRIPTION
1-11-23	FOR PERMITTING

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**EXTERIOR
ELEVATIONS**

A-202







Department of Permitting & Inspections

Zoning Division
645 Pine Street
Burlington, VT 05401
Telephone: (802) 865-7188

William Ward, Director
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Garret King, Associate Planner
Joseph Cava, Permit Technician
Ted Miles, Code Compliance Officer
Vacant, Permitting & Inspections Administrator



TO: Development Review Board
FROM: Scott Gustin/Garret King
DATE: April 4, 2023
RE: ZP-22-640; 294-296 North Winooski Avenue

=====

Note: These are staff comments only; decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.

Zone: RH Ward: 2C

Owner/Applicant: Irene C. Hinsdale Irrev TRUST/Samuel Nelis

Request: Change a café into a bar as well as add outdoor patio onto the building.

Applicable Regulations:

Article 3 (Applications, Permits, & Project Reviews), Article 4 (Zoning Maps and Districts), Article 5 (Citywide General Regulations), Article 6 (Development Review Standards), Article 8 (Parking)

Background Information:

The applicant wants to change the existing space from a café into a bar. The current plan is for the space to act as a cafe in the earlier hours of the day and more traditional bar at night as well as offer classes on cocktail mixing, wine tasting, and other similar beverage craft. A bar is a conditional use in the Neighborhood Mixed Use zone wherein the project is located. The majority of construction is renovation that will be happening inside the current structure. The only exterior changes will be the conversion of a raised flowerbed into a patio and the existing front window to be converted into a garage door for patio access. A new flowerbed of same size will be created to offset the removal of green space and be positioned on the parking side of the building.

Zoning Permit history

- Zoning Permit 21-0744CA; Expansion of Burly axe
- Zoning Permit 20-0345SN; One projecting and one parallel sign for Burly Axe Throwing
- Zoning Permit 19-1038CA; Change of use from performing arts theater to health studio (axe throwing lanes)
- Zoning Permit 18-0635SN; New window for health studio
- Zoning Permit 18-0634CA; Change of use to Health Studio: self-defense, functional fitness, mindfulness, and personal training studio
- Zoning Permit 18-0506CA/CU; Turn unit 112A into a Dance Studio
- Zoning Permit 18-0399SN; add projecting and parallel signage for restaurant. October 2017.
- Zoning Permit 17-1110CA; change of use for 1,123 sf from performing arts theatre to bakery/retail and café. Add overhead and entry door. May 2017.

- Zoning Permit 16-0795CA; change of use from office to health studio, suite 212. February 2016.
- Zoning Permit 15-1245CA; change of use to photo studio. No site or exterior building alterations. June 2015.
- Zoning Permit 15-1155NA; interior work only. May 2015.
- Zoning Permit 15-0480CU; conditional use review for performing arts studio. November 2014.
- Zoning Permit 12-0292SN; new parallel sign above door for North End Studios. September 2011.
- Zoning Permit 11-0724CA; add emergency door on Archibald St. side of building for egress. April 2011.
- Zoning Permit 10-0534CU; Conditional Use review to change from warehouse to performing arts theatre (Studio 115 on floor plan); approved January 2010.
- Zoning Permit 09-805CA; change of use of 1080sf to place of worship. May 2009.
- Zoning Permit; parallel sign for Vermont Workers Center. December 2007.
- Zoning Permit 08-415SN; parallel sign for The Vermont Workers Center. December 2007.
- Zoning Permit 08-337CA; restaurant with seven indoor tables with 4 seats each for a total of 28 seats and take out services. October 2007.
- Zoning Permit 06-606SN; parallel sign for Beatbox music store. April 2006.
- Zoning Permit 05-620CU; change of use from laundromat to youth and family education center. October 2005.
- Zoning Permit 04-511; construct bus passenger shelter and slab on City ROW. May 2004.
- Zoning Permit 02-029 / COA 086-131; establish office use with accessory classroom component. July 2001.
- Zoning Permit 99-266; parallel sign for video rental store. November 1998.
- Zoning Permit 99-237/COA 086-131A; change use from office to video rental. October 1998.
- Zoning Permit 98-050; change use from restaurant to office. August 1997.
- Non-Applicability of Zoning Permit Requirements, to continue utilizing 14,085 sf gross floor area for a restaurant/deli to include 24 seats. February 1996.
- Zoning Permit 96-325; parallel sign for restaurant/deli. February 1996.
- Zoning Permit 93-217; establish video rental use accessory to Laundromat use. November 1992.
- Zoning Permit 92-133; construct handicap access ramp to restaurant/deli. October 1991.
- Zoning permit 92-106; install front awning and parallel sign; September 1991.
- Zoning Permit 91-017; approval for parallel sign for Champlain Drug and Alcohol Services; July 1991.
- Zoning Permit 90-114; establish day care, max. 50 children, 10 staff. April 1990.
- Non-Applicability of Zoning Permit Requirements; expand Champlain Drug and Alcohol Tourist Home use as approved by ZBA. March 1990.
- Zoning Permit 90-024; install exhaust fan on roof. January 1990.
- Zoning Permit 89-463; install new double entry door on North Winooski side of building; enlarge existing window on Archibald side of building. September 1989.
- Non-Applicability of Zoning Permit Requirements; interior fit-up for Tourist Home. June 1989.

- Zoning Permit 89-361; amend uses for commercial building to allow “Tourist Home”. May 1989.
- Burlington Zoning Board of Adjustment; interpretation of uses for existing permit COA 86-131 to facilitate use per submitted description (Temporary occupancy for lodging or more than four individuals.) Referred by Zoning Administrator of Interpretation. Heard by BZBA April 1989. *The use as described is found to specifically meet the definition of a tourist home offered by the zoning ordinance and thereby the use as described is a permitted use in the GC zone.* FOF decision signed July 1989.
- Zoning Permit 87-269 / COA 86-131A; amend permit for renovation of building to incubator space. Exterior treatment to be stucco and corrugated metal over insulation rather than paint. May 1987.
- Zoning Permit 86-405 / COA 86-131; renovate existing building; new exterior windows, 4 new pedestrian entrances, landscaping, redefining parking area for use as commercial, office, light manufacturing and warehouse incubator space. August 1986.
- Zoning Permit 82-069; use existing vacant building for wholesale hardware business. No additional lot coverage and no exterior modifications. March 1983.
- Zoning Permit 82-532; erect plywood projecting sign. December 1982.
- Zoning Permit 82-451; convert portion of structure to office use. Approved September 1982.
- Zoning Permit 82-234; establish storage space, install a stairway. May 1982.
- Zoning Permit 82-209; change pitch of roof; construct 4/12 pitch over existing flat roof. May 1982.
- Zoning Permit 79-612; open grocery store in vacated section of Fassetts Bakery building, converting an existing commercial use to another commercial use. October 1979.
- Request under Interim Zoning to erect a 12’ x 30’ addition on the south side of the Fassetts Bakery building within 7’ of the front property line. August, 1975. Application withdrawn.
- ZBA review, install a 5,000 gallon gas tank and pump. Approved July 1971
- BFA review, erect two bulk flour storage tanks to be completely enclosed in a steel building on the premises. Approved March 1968.
- ZBA review; seeking permission to demolish existing building at 286-288 North Winooski Avenue and to erect in the rear of the property a loading station approximately 65’ x 100’ to accommodate 10 trucks. Approved October, 1964.

Recommendation: Conditional use and certificate of appropriateness approval as per, and subject to, the following findings and conditions.

I. Findings

Article 3: Applications, Permits, and Project Reviews

Part 3: Impact Fees

Sec. 3.3.2, Applicability & Sec. 3.3.3, Exemptions & Waivers

Not applicable

Article 3: Applications and Reviews

Part 5, Conditional Use & Major Impact Review:

Section 3.5.6 (a) Conditional Use Review Standards

Approval shall be granted only if the DRB, after public notice and public hearing, determines that the proposed conditional use and associated development shall not result in an undue adverse effect on each of the following general standards:

1. *Existing or planned public utilities, facilities or services are capable of supporting the proposed use in addition to the existing uses in the area;*

The property will be served by municipal utilities. Electrical, water, and wastewater services are currently on site and will continue to be used for the new use. No adverse effects are expected from the change of use. The applicant is not increasing capacity and will be able to keep the current sewer and water capacity letter. **(Affirmative finding)**

2. *The character of the area affected as defined by the purpose or purposes of the zoning district(s) within which the project is located, and specifically stated policies and standards of the municipal development plan;*

The property is located within the Neighborhood Mixed Use zone. This zone is primarily intended to provide neighborhood oriented goods and services within walkable or biking distance of residential neighborhoods. The proposed conversion to a bar as a conditional use fits within the mixed use context of the NMU zone as the location is positioned in an already mixed use building next to a neighborhood. People from the adjacent neighborhood can walk to the location as well as take the bus or drive if need be. The new bar will be small scale and fit in seamlessly with the other uses that share the larger building. **(Affirmative finding)**

3. *The proposed use will not have nuisance impacts from noise, odor, dust, heat, and vibrations greater than typically generated by other permitted uses in the same zoning district;*

The current café will turn into a bar with a new addition of a small outdoor patio. The operational plan is for the new use to be active from 8am to 12am 7 days a week. The plan indicates that they will not allow for performances to occur out on the patio to respect the neighbors. All performances will be indoors, and the patio door will be closed by 10PM to mitigate potential noise impacts. With these measures in place, the change from previous use to the new proposed use should not cause additional disturbance to the community. **(Affirmative finding)**

4. *The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street designations and capacity; level of service and other performance measures; access to arterial roadways; connectivity; transit availability; parking and access; impacts on pedestrian, bicycle and transit circulation; safety for all modes; and adequate transportation demand management strategies;*

No traffic analysis has been provided or is required for this application. The anticipated occupants of the bar are expected to be similar to the current rates and flows of the customers that visit the current establishment. **(Affirmative finding)**

5. *The utilization of renewable energy resources;*

Proposed building must comply with current energy efficiency standards. The proposed exterior work will be required to comply with Vermont Commercial Building Energy Standards. **(Affirmative finding)**

6. *Any standards or factors set forth in existing City bylaws and city and state ordinances*

It is the applicant's responsibility to comply with other applicable city and state bylaws and ordinances. **(Affirmative finding)**

**(b) Major Impact Review Standards
(Not applicable)**

(c) Conditions of Approval:

In addition to imposing conditions of approval necessary to satisfy the General Standards specified in (a) or (b) above, the DRB may also impose additional conditions of approval relative to any of the following:

1. Mitigation measures, including but not limited to screening, landscaping, where necessary to reduce noise and glare and to maintain the property in a character in keeping with the surrounding area.

Late night operation will to extend until 12am including live performances that will occur during standard operational hours. As noted above, live entertainment will be located inside, and the patio door will be closed by 10PM. **(Affirmative finding)**

2. Time limits for construction.

The allotted time for construction/renovation will follow the standard allowed time for zoning permits of 1 year to start and 3 years to finish construction and the applicant may request a zoning extension if needed. **(Affirmative finding)**

3. Hours of operation and/or construction to reduce the impacts on surrounding properties.

Current plan shows hours of operation to open 7 days a week open from the morning through the afternoon and evening hours. Morning hours for more coffee / juice service and then later in the day transition to more standard bar services. **(Affirmative finding as conditioned)**

Hours of construction are not noted. Limited exterior construction is expected, hours of construction are typically limited to M-F 7:00 am to 5:30 pm, with Saturday hours restricted to interior work. No work on Sundays. **(Affirmative finding)**

4. That any future enlargement or alteration of the use return for review to the DRB to permit the specifying of new conditions; and,

Any future enlargement or alteration will be reviewed under the zoning regulations in effect at that time. **(Affirmative finding)**

5. Such additional reasonable performance standards, conditions and safeguards, as it may deem necessary to implement the purposes of this chapter and the zoning regulations.

See the recommended conditions. **(Affirmative finding)**

Article 4: Maps & Districts

Sec. 4.4.2

(a) Purpose

(2) Neighborhood Mixed Use (NMU)

The property is in the NMU zone and is subject to the development standards of this zone.

Primarily intended to provide neighborhood oriented goods and services within walkable or biking distance of residential neighborhoods. The proposed conversion to a bar to a bar is a conditional use for this district and fits into the current mixed use building and neighborhood. **(Affirmative finding)**

(b) Dimensional Standards & Density

Current lot coverage appears to be 98% and the proposed project will not change the lot coverage. All other dimensional and density metrics will not change with the change in use.

The visible changes to the property will consist of the raised flowerbed converted into a patio for sitting space along with the renovation of the front window into a garage door to provide garage access to the patio. Additionally a replacement flowerbed is required to maintain current lot coverage and will be placed along the parking lot side of the building. **(Affirmative finding)**

(c) Permitted & Conditional Uses

A bar is a conditional use in the neighborhood Mixed Use zone and is subject to review and approval, see above. **(Affirmative finding)**

(d) District Specific Regulations

Not applicable. **(Affirmative finding)**

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

See Sec. 4.4.2 (b). **(Affirmative finding)**

Sec. 5.2.4, Buildable Area Calculation

See Sec. 4.4.2 (b). **(Affirmative finding)**

Sec. 5.2.5, Setbacks

See Sec. 4.4.2 (b). **(Affirmative finding)**

Sec. 5.2.6, Building Height Limits

See Sec. 4.4.2 (b). **(Affirmative finding)**

Sec. 5.2.7, Density and Intensity of Development Calculations

See Sec. 4.4.2 (b). **(Affirmative finding)**

Sec. 5.5.1, Nuisance Regulations

See Sec 3.5.6(a) above as to noise. **(Affirmative finding)**

Sec. 5.5.2, Outdoor Lighting

No new outdoor lighting is noted in the proposal. If any lighting is proposed, it will have to conform to lighting standards of sec. 5.5.2, and current outdoor lighting exists. **(Affirmative finding as conditioned)**

Sec. 5.5.3, Stormwater and Erosion Control

Not applicable **(Affirmative finding)**

Article 6: Development Review Standards

Part 1, Land Division Design Standards

Not applicable.

Part 2, Site Plan Design Standards

Sec. 6.2.2, Review Standards

(a) Protection of important natural features

(Not applicable)

(b) Topographical alterations

(Not applicable)

(c) Protection of important public views

(Not applicable)

(d) Protection of important cultural resources

(Not applicable)

(e) Supporting the use of alternative energy

(Not applicable)

(f) Brownfield sites

(Not applicable)

(g) Provide for nature's events

(Not applicable)

(h) Building location and orientation

(Not applicable)

(i) Vehicular access

(Not applicable)

(j) Pedestrian access

Not applicable **(Affirmative finding)**

(k) Accessibility for the handicapped

No changes, the current access ramp will remain in its current location to provide access into the building from the public sidewalk. **(Affirmative finding)**

(l) Parking and circulation

The property will continue to use the current parking lot and access. Parking requirements are unaffected by the proposed change in use. **(Affirmative finding)**

(m) Landscaping, fences, and retaining walls

The removal of a raised planter to make room for outdoor patio space is shown in the plans. The new patio will be made of painted wood to match the current access ramp and the replacement planting bed will be an in kind replacement of what is currently there but will be relocated to the parking lot side of the building. The new planter will have day lilies in it. **(Affirmative finding)**

(n) Public plazas and open space

(Not applicable)

(o) Outdoor lighting

See Sec. 5.5.2. **(Affirmative finding)**

(p) Integrate infrastructure into the design

(Not applicable)

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

(a) Relate development to its environment

1. Massing, Height, and Scale

The new use will replace the current use and will be taking up the same volume and space so there will be no changes to the massing, height, and scale of the structure. **(Affirmative finding)**

2. Roofs and Rooflines

The new use will replace the current use and will be taking up the same volume and space so there will be no changes to the roof or roofline. **(Affirmative finding)**

3. Building Openings

The new outdoor patio space will be accessed by enlarging the front window opening and replacing it with a garage door. This garage door will replace the current window but features glazing that will mimic the appearance of a window when closed. **(Affirmative finding)**

(b) Protection of important architectural resources

(Not applicable)

(c) Protection of important public views

(Not applicable)

(d) Provide an active and inviting street edge

The addition of an outdoor patio will provide an inviting and interactive space between the private building space and the public sidewalk and street. The new patio will be a social space for customers to enjoy the outdoors while additionally creating a transition space from the outside to the inside of the bar. **(Affirmative finding)**

(e) Quality of materials

The new patio will be made with similar painted wood to the current access ramp and will have a railing to match. The new garage door for the patio will be aluminum painted charcoal grey with divided windows. **(Affirmative finding)**

(f) Reduce energy utilization

See Sec. 3.5.6(a).

(g) Make advertising features complimentary to the site

No new exterior signs are included in this proposal. **(Not applicable)**

(h) Integrate infrastructure into the building design

No new rooftop mechanical equipment is proposed. The existing pipe that is in the current flowerbed will be vented out underneath the new patio. **(Affirmative finding)**

(i) Make spaces safe and secure

The proposed building must provide adequate egress as required by the building code. Entries will be illuminated. **(Affirmative finding)**

Article 8: Parking

Sec. 8.1.9, Maximum On-Site Parking Spaces

Existing parking spaces will remain unchanged. The change in use does not affect the applicable parking limitations of this section. **(Affirmative finding)**

II. Conditions of Approval

1. Hours of construction shall be limited to M-F 7:00 am to 5:30 pm, with Saturday hours restricted to interior work. No work on Sundays.
2. The Applicant/Property Owner is responsible for obtaining all necessary Zoning Permits and Building Permits through the Department of Public Works as well as other permit(s) as may be required.
3. Standard permit conditions 1-15.

Department of Permitting & Inspections

Zoning Division
645 Pine Street
Burlington, VT 05401
Telephone: (802) 865-7188

William Ward, Director
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Garret King, Associate Planner
Joseph Cava, Permit Technician
Ted Miles, Code Compliance Officer
vacant, DPI Administrator



TO: Development Review Board
FROM: Garret King
DATE: April 4, 2023
RE: ZP-23-49; 21 Morse Place

=====

Note: These are staff comments only; decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.

Zone: RL Ward: 5S

Owner/Applicant: RIELEY PROPERTIES LLCC/Silken Kershner

Request: Construct a new parking lot off of Morse Place that consists of 6 standard and 1 ADA parking spaces along with the creation of a bio retention system. The current driveway/parking spaces will be removed along with some of the current concrete sidewalk. Several trees will also be removed with no current plans to replace them.

Applicable Regulations:

Article 4 (Maps & Districts), Article 6 (Development Review Standards), Article 8 (Parking)

Background Information:

The proposed plan is to remove the current parking area on the west side of the property and to create 7 new parking spaces with one being ADA compliant. To address stormwater from the new impervious surface coverage a bio-retention system will be located at the corner of Batchelder St. and Morse Place, and will discharge overflow into the nearby catch basin, draining to the combined city sewer and stormwater system. The current gravel driveway and some of the existing concrete sidewalk connecting the driveway to the house will be removed and converted to green space.

Prior zoning permit actions for this property.

- Zoning board of Adjustment 9/8/1967: the creation of a 4 apartment house and two separate driveways on the west and east side of the house.

Recommendation: Consent approval as per, and subject to, the following findings and conditions:

I. Findings

Article 4: Maps & Districts

Sec. 4.4.5, Residential Districts:

(a) Purpose

(1) Residential Low Density (RL)

The property is in the RL zone and is subject to the development standards of this zone. Primarily intended for low density single-family detached dwellings and duplexes. The 4-plex was permitted in 1967 and is an anomaly in this neighborhood. It will remain unchanged in this application.

(Affirmative finding)

(b) Dimensional Standards & Density

Residential density will remain unchanged.

Prior/Current lot coverage is 20.3% Proposed lot coverage will be 34.4% which will be conforming to the district standards 35% limit.

The minimum required yard setback is 5 feet as all proposed construction is accessory to the main building. The new construction is 7ft at the closest point, conforming to the 5ft minimum requirement.

Max height will not be an issue as all proposed construction will be at or near grade. **(Affirmative finding)**

(c) Permitted & Conditional Uses

The creation of the new driveway is an accessory use to the current home and building a stormwater bio-retention area for stormwater is permitted within the district. **(Affirmative finding)**

(d) District Specific Regulations

1. Setbacks

See Sec. 4.4.5 above

2. Lot Coverage

See Sec. 4.4.5 above

3. Accessory Residential Structures and Uses

No Accessory structures are proposed. **(Not applicable)**

4. Residential Density

The residential density of the current home will not change. **(Not Applicable)**

5. Uses

(Not Applicable)

6. Residential Development Bonuses

(Not Applicable)

Article 5: Citywide General Regulations

Sec. 5.5.3, Stormwater and Erosion Control

Over 400sf of land disturbance is proposed so EPSC plan is required. It has been submitted for review by the Stormwater Program. The proposed bio-retention area is also subject to review and approval by the Stormwater Program. **(Affirmative finding as conditioned)**

Article 6: Development Review Standards
Part 1, Land Division Design Standards
(Not Applicable)

Part 2, Site Plan Design Standards

Sec. 6.2.2, Review Standards

(a) Protection of important natural features

There are no significant natural features within the property. **(Not Applicable)**

(b) Topographical alterations

The lot is flat and will have minor grading to direct stormwater to the new bio-retention stormwater treatment area. **(Affirmative finding)**

(c) Protection of important public views

The property is not associated with any important public views. **(Affirmative finding)**

(d) Protection of important cultural resources

The property has is not listed on a state or national register of historic places or known to be an important archeological site. **(Affirmative finding)**

(e) Supporting the use of alternative energy

Not applicable. **(Affirmative finding)**

(f) Brownfield sites

The subject property is not an identified brownfield. **(Affirmative finding)**

(g) Provide for nature's events

(Not Applicable)

(i) Vehicular access

The current driveway is gravel and will be removed and replaced with paved asphalt that provides access to the property and 7 parking spaces. **(Affirmative finding)**

(j) Pedestrian access

The proposed construction will remove the current walkway to the existing parking area, and a new concrete pathway will connect building entries to the proposed parking area. **(Affirmative finding)**

(k) Accessibility for the handicapped

One of the new parking spaces will be ADA compliant. **(Affirmative finding)**

(l) Parking and circulation

A new 12ft wide driveway will connect the parking spaces to Morse Place. Circulation is provided within the parking area and includes compliant back-up distances. Curbing is required along the periphery of the new parking. The plan includes the use of dogwood shrubs and hydrangea for screening and to be used for barriers to prevent vehicles from encroaching into adjacent green space. **(Affirmative finding)**

(m) Landscaping, fences, and retaining walls

The proposed plan shows the addition of woody shrubs to create screening for the new parking area. The plan does include the removal of three multi-stemmed trees/tree clusters along with one 12" ash to be removed. **(Affirmative finding)**

(n) Public plazas and open space

(Not Applicable)

(o) Outdoor lighting

(Not Applicable)

(p) Integrate infrastructure into the design

Connections for the bio-retention stormwater area will be underground and will connect to city systems. **(Affirmative finding)**

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

(Not Applicable)

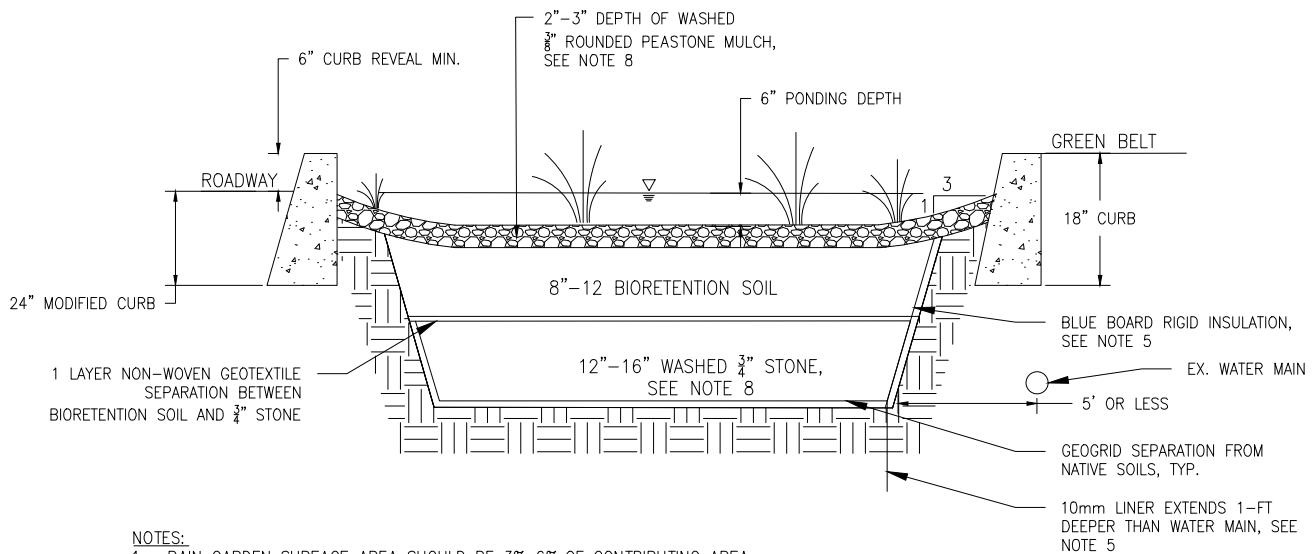
Article 8: Parking

Sec. 8.1.9, Maximum On-Site Parking Spaces

The existing home has maximum limit of 3 parking spaces per dwelling unit in this neighborhood parking district. The proposed plan has 2 parking spaces per dwelling unit and is under the maximum allowed. The parking spaces will conform to the dimensional standards of Sec. 8.1.11, *Parking Dimensional Requirements*. **(Affirmative finding)**

II. Conditions of Approval

1. The EPSC and stormwater management plans are subject to review and approval by the Stormwater Program prior to construction.
2. The Applicant/Property Owner is responsible for obtaining all necessary Zoning Permits and Building Permits through the Department of Public Works as well as other permit(s) as may be required, and shall meet all energy efficiency codes of the city and state.
3. Standard permit conditions 1-15.



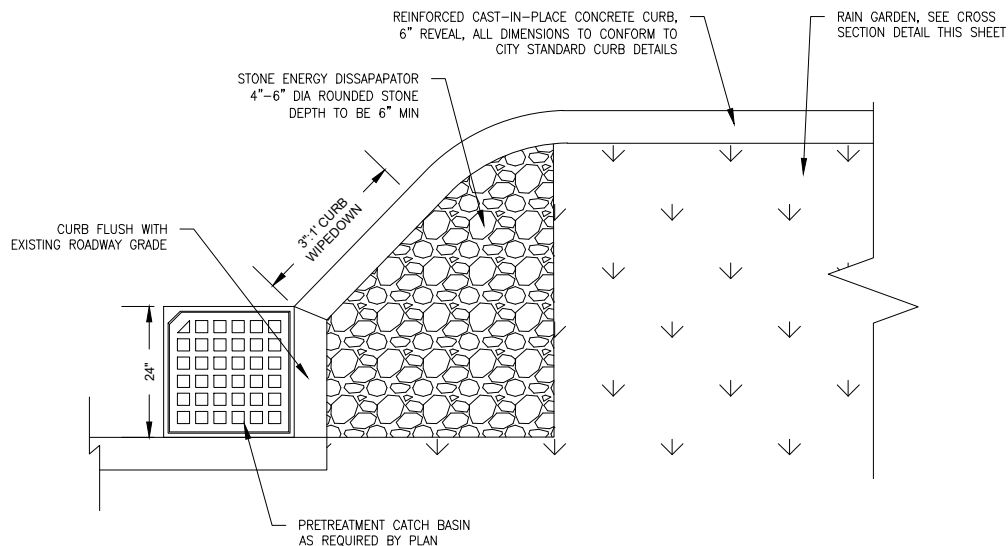
NOTES:

1. RAIN GARDEN SURFACE AREA SHOULD BE 3%–6% OF CONTRIBUTING AREA.
2. FLOW THROUGH OR STANDPIPE OVERFLOW MAY BE REQUIRED
3. SEE PLANS FOR BASIN AREA DIMENSIONS
4. SEE STONE ENERGY DISSIPATOR DETAIL FOR INLET PROTECTION DETAILS
5. BLUE BOARD INSULATION AND 10mm LINER SHALL BE INSTALLED ON THE WATER MAIN SIDE OF THE TRENCH FOR THERMAL AND SALT PROTECTION OF THE EXISTING WATER MAIN AND WITHIN 5-FT HORIZ. DISTANCE FROM EXISTING WATER MAIN.
6. PROVIDE A GREEN BELT WIDTH OF 12-INCHES MINIMUM
7. BOTTOM ELEVATION OF RAIN GARDEN SHALL BE APPROXIMATELY 2-FOET HIGHER THAN THE SEASON HIGH GROUNDWATER TABLE FOR THIS AREA.
8. WASHED STONE SHALL BE WASHED CLEAN OF SILTS AND FINES UNTIL WASHING WATER RUNS CLEAR. STONE DELIVERED WITH FINES PRESENT WILL NOT BE ACCEPTED FOR INSTALLATION.
9. BIORETENTION SOIL MIXTURE NOTES:
 - a. THE UPPER 12-INCH OF THE BIORETENTION SOIL MIX SHOULD BE AMENDED WITH A LOW-PHOSPHOROUS COMPOST TO ATTAIN 1%–5% ORGANIC MATTER CONTENT.
 - b. COMPOST SHALL BE PLANT-BASED LEAF LITTER/YARD WASTE/COMPOST FEEDSTOCKS ARE REQUIRED.
 - c. COMPOSTS MADE WITH FOOD SCRAPS, BIOSOLID, OR MANURE ARE NOT PERMITTED.
 - d. THE TOTAL AMOUNT OF COMPOST ADDED SHALL NOT EXCEED 3%–5% OF THE TOTAL BIORETENTION SOIL MEDIA VOLUME.
 - e. LOW-PHOSPHOROUS SOURCES SHALL BE $\frac{1}{2}$ " LEAF COMPOST MANUFACTURED BY AGRESOURCE INC.
 - f. SEE SPECIFICATION – BIORETENTION SOIL MIXTURE FOR FURTHER DETAILS.



TYPICAL RAIN GARDEN CROSS-SECTION

SCALE: NONE



TYPICAL STONE ENERGY DISSIPATOR

SCALE: NONE



**BURLINGTON
PUBLIC WORKS
Water Resources**

53 LAVALLEY LANE
Burlington, VT 05401
(802) 863-4501 water-resources@burlingtonvt.gov

1	DRAFT	3/6/18
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TYPICAL RAINGARDEN PLANS AND DETAILS

DESIGNED AEW	RFS NO.
DRAWN AEW	SCALE NTS
CHECKED SR	DRAWING NO.
DATE FEB 2023	SHEET 1 OF 1

SPECIFICATION - BIORETENTION SOIL MIXTURE

1. **DESCRIPTION.** This work shall consist of furnishing and installing a low-phosphorus soil mixture in the bioretention basin where indicated on the construction documents. Work shall be consistent with VTrans Standard Specifications Section 651, with the additions and modifications below.

2. **MATERIALS.**

- a. Bioretention Soil shall consist of loose, friable soil, free of ice, snow, and rubbish with no admixture of refuse or material toxic to plant growth.
- b. The final bioretention soil mixture shall meet the following parameters:

pH	5.5 – 7.5
Moisture Content	25% - 55%
Available Phosphorous	Less than 0.2% phosphorous (Morgan Test or approved equal)

- c. The bioretention soil mixture shall be a uniform mix, free of stones, stumps, roots or other similar objects larger than one (1) inch in diameter excluding mulch.
- d. No other materials or substances shall be mixed or dumped within the bioretention area that may be harmful to plant growth or prove a hindrance to the planting or maintenance operations.
- e. The bioretention soil mixture shall be free of all invasive species, including Knotweed, Phragmites, Purple Loosestrife, Bermuda grass, Quackgrass, Johnson grass, Mugwort, Nutsedge, Poison Ivy, Canadian Thistle, Teatumb, or other noxious weeds.
- f. The bioretention soil shall meet the following requirements:

<u>Textural Class</u>	<u>% of Total (by Weight)</u>
Sand	85-88
Silt (0.002 – 0.05 mm)	8-12
Clay (less than 0.002 mm)	0-2
Compost	3-5

1. Sand – The Sand shall consist of clean, inert, hard, durable grains of quartz or other hard, durable rock, free from loam or clay, surface coatings and deleterious materials and meeting the gradation requirements of VTrans Specifications, Table 704.01A.
2. Compost – The compost shall be comprised of well pulverized and composted leaf mulch. No bio-solids or animal or poultry manure may be used. Compost shall be a highly organic dark brown to black spongy residue resulting from the well-aerated composting of deciduous organic materials, free of plants and their roots, debris, stones, or other objects larger than 1-inch in any direction. It should be free of other extraneous matter and shall be uncontaminated by foreign matter and substances harmful to plant growth.

The compost shall have the following properties:

pH	5.5 - 8.0
Moisture Content	35% - 55%
Soluble Salts	4.0 mmhos (dS)
C:N ration	15 – 30:1
Particle Size	<1 “
Organic Matter Content	> 25%
Bulk Density	< 1,3000 lbs/cubic yard
Foreign Matter	< 1% (dry weight)

3. SUBMITTALS.

Bioretention Soil Test Reports

1. Prior to ordering bioretention soil mixture materials, submit soil test reports for two separate samples to the Resident Engineer for review and approval. Do not order materials until approval has been obtained. Delivered materials shall be from the same source as the tested material and verified as such.
2. The Contractor shall employ a certified testing laboratory to test the material and shall submit bioretention soil mixture test result reports for representative samples to the Representative. Reports shall include:
 - a. Location of sample source, date of sample.
 - b. Tests for Phosphorus, Potassium, Soluble Salts, soil pH, Moisture Content, Organic Matter Content, and soil texture analysis in accordance with the current standards of the Association of Official Agriculture Chemists.

Test shall include a soil particle gradation analysis and classification of soil.

4. METHOD OF MEASUREMENT. The quantity of Bioretention Soil Mixture to be measured for payment will be the number of Cubic Yards of material furnished and placed in the final, accepted work.

5. BASIS OF PAYMENT. The accepted quantity of Bioretention Soil Mixture will be paid at the contract unit price per Cubic Yard. Payment will constitute full compensation for furnishing, transporting, handling, placing, and finishing the materials specified, as well as for furnishing all labor, tools, equipment, and incidentals necessary to complete the work. Submittals shall be incidental to this item.

SPECIFICATION – 3/8" WASHED CIRCULAR PEA STONE

1. DESCRIPTION. This work shall consist of furnishing and placing washed circular pea stone within bioretention and/or rain garden areas.
2. MATERIALS. Stone placed shall meet the requirements of VTrans Specifications 704.02, and the gradation of VTrans Specifications Table 704.02A.
3. PLACING. Place carefully to depth of 2"-3" or as detailed on plans.
4. METHOD OF MEASUREMENT. The quantity of 3/8" Circular Pea Stone to be measured for payment will be the number of square feet installed in the completed and accepted work, measured within the limits shown on the Plans or as directed by the Engineer.
5. BASIS OF PAYMENT. The accepted quantity of 3/8" Washed Circular Pea Stone will be paid for at the Contract unit price per square foot. Payment will be full compensation for furnishing, transporting, and placing the material specified and for furnishing all labor, tools, equipment, and incidentals necessary to complete the work.

SPECIFICATION - 4"-6" ROUNDED STONE FOR INLET PROTECTION

1. DESCRIPTION. This work shall consist of furnishing and placing washed rounded stone within bioretention or rain garden areas.
2. MATERIALS. Provide submittal to Engineer for review and approval

3. PLACING. Place carefully to depth of 6" or as detailed on plans.
4. METHOD OF MEASUREMENT. The quantity of 4"-6" Rounded Stone to be measured for payment will be the number of square feet installed in the completed and accepted work, measured within the limits shown on the Plans or as directed by the Engineer.
5. BASIS OF PAYMENT. The accepted quantity of 4"-6" Rounded Stone will be paid for at the Contract unit price per square foot. Payment will be full compensation for furnishing, transporting, and placing the material specified and for furnishing all labor, tools, equipment, and incidentals necessary to complete the work.

SPECIFICATION – GEOTEXTILES

1. DESCRIPTION. This work shall consist of furnishing and placing geotextiles in bioretention areas. Work shall be carried out in accordance with VTrans Specification Section 649 Geotextile Fabric, with the following exceptions.
2. MATERIALS:
 - a. Non-Woven Geotextile fabric shall be AASHTO Class 2 non-woven geotextile, ADS 601T, Mirafi 160N, or approved equal.
 - b. Geogrid shall be ADS BX154GG, Mirafi Mlragrid BXG120, or approved equal.
3. METHOD OF MEASUREMENT. The quantity of Geotextile of the type specified to be measured for payment will be the number of square yards placed in the complete and accepted work. Slope measurements will be used in computing the area. Measurement will not be made for material used for repairs, seams, or overlaps. Measurement will not be made for material used to replace an installation of fabric that has become damaged, destroyed, lost, washed away, or otherwise ineffective unless authorized by the Engineer.
4. BASIS OF PAYMENT. The accepted quantity of Geotextile of the type specified will be paid for at the Contract Unit Price per square yard. Payment will be full compensation for furnishing, transporting, storing, handling, placing, repairing, and removing the material specified and for furnishing all labor, tools, equipment, and incidentals necessary to complete the work. Unless otherwise specified in the Contract, payment for the maintenance of Geotextile of the type specified will not be paid for directly, but will be considered incidental to the specific Contract Item.

Comments from public works

- The curbing detail is not required
- The design aspects the City is requesting be followed include all other aspects of the design cross-section including the materials, depths of materials, and material specs provided. For instance, we will ask that a low-phosphorus bioretention soil mix be used and that it is separated from the gravel layer with a single layer of non-woven geotextile. Geogrid lining the bottom of the system is also essential for the long term functioning of the system. If the property owner is aware of any other drinking water or sewer line laterals which may be located proximate to the system then liner or blueboard insulation would also be requested, respectively.

Burlington Development Review Board

Department of Permitting & Inspections
645 Pine Street
Burlington, VT 05401
www.burlingtonvt.gov/DPI/DRB
Telephone: (802) 865-7188
Fax: (802) 863-0466

AJ LaRosa
Caitlin Halpert
Geoff Hand
Brooks McArthur
Brad Rabinowitz
Leo Sprinzen
Chase Taylor
Sean McKenzie, (Alternate)
Emily O'Hara (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, April 4, 2023, 5:00 PM

AMENDED AGENDA

In Person (at 645 Pine Street) Meeting

Zoom: <https://us02web.zoom.us/j/83225696227?pwd=SGQ0bTdnS000Wkc3c2J4WWw1dzMxUT09>

Webinar ID: 832 2569 6227

Passcode: 969186

Telephone: US +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 6833 or
+1 253 215 8782 or +1 346 248 7799

- I. Agenda
- II. Communications
- III. Minutes
- IV. Public Hearing

- 1. **ZP-22-640; 294-296 North Winooski Avenue (NMU, Ward 2C) Irene Hinsdale / Samuel Nelis**
Change of use from mixed-use restaurant to bar. (Project Manager, Garret King)

V. Certificate of Appropriateness

- 1. **ZP-23-56; 326 College Street (RH, Ward 8E) Jannef Holdings, LLC / Skip McClellan**
Building and parking lot improvements for stormwater collection/disposal including demolition and replacement of accessory structure and replacement of retaining walls. (Project Manager, Mary O'Neil)
- 2. **ZP-23-9; 98 Sunset Cliff Road (RL-W, Ward 4N) Keye & Lucy Wong / Elizabeth Herrmann**
Demolish existing single-family residence and construct new single-family residence with associated site improvements. (Project Manager, Scott Gustin)
- 3. **ZP-23-49; 21 Morse Place (RL, Ward 5S) Rieley Properties, LLCC / Silken Kershner**
Proposed construction of tenant parking including six regular and one ADA parking spaces. (Project Manager, Garret King)

VI. Sketch Plan

- 1. **ZSP-23-1; 179 Queen City Park Road (E-LM, Ward 5S) Zoo Holdings, LLC / Martin Courcelle**
Sketch plan review of proposed 65,000 square foot addition to the existing Rhino Foods facility including associated access, parking, utility, and stormwater modifications. (Project Manager, Scott Gustin)

VII. Adjournment

The programs and services of the City of Burlington are accessible to people with disabilities. Individuals who require special arrangements to participate are encouraged to contact the Zoning Division at least 72 hours in advance so that proper accommodations can be arranged. For information call 865-7188 (TTY users: 865-7142).
Printed on 100% Recycled Paper

Plans may be viewed upon request by contacting the Department of Permitting & Inspections between the hours of 8:00 a.m. and 4:30 p.m. Participation in the DRB proceeding is a prerequisite to the right to take any subsequent appeal. Please note that ANYTHING submitted to the Zoning office is considered public and cannot be kept confidential. This may not be the final order in which items will be heard. Please view final Agenda, at www.burlingtonvt.gov/dpi/drb/agendas or the office notice board, one week before the hearing for the order in which items will be heard.

The City of Burlington will not tolerate unlawful harassment or discrimination on the basis of political or religious affiliation, race, color, national origin, place of birth, ancestry, age, sex, sexual orientation, gender identity, marital status, veteran status, disability, HIV positive status, crime victim status or genetic information. The City is also committed to providing proper access to services, facilities, and employment opportunities. For accessibility information or alternative formats, please contact Human Resources Department at (802) 540-2505.

Department of Permitting & Inspections

Zoning Division
645 Pine Street
Burlington, VT 05401
Telephone: (802) 865-7188

William Ward, Director
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Garret King, Associate Planner
Joseph Cava, Permit Technician
Ted Miles, Code Compliance Officer
vacant, DPI Administrator



TO: Development Review Board
FROM: Scott Gustin
DATE: April 4, 2023
RE: ZSP-23-1; 179 Queen City Park Road

=====

Note: These are staff comments only; decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.

Zone: E-LM Ward: 5S

Owner/Applicant: Zoo Holdings, LLC / Martin Courcelle

Request: Sketch plan review of approximately 65,000 sf addition to the existing Rhino Foods facility including associated access, parking, utility, and stormwater modifications.

Applicable Regulations:

Article 3 (Applications, Permits, and Project Reviews), Article 4 (Maps & Districts), Article 5 (Citywide General Regulations), Article 6 (Development Criteria & Guidelines), Article 8 (Parking)

Background Information:

The applicant has requested sketch plan review of the site plan associated with a planned expansion of the Rhino Foods facility. Building plans are not included in this sketch plan, except for footprint and approximate area. The applicants met with the city's Technical Review Committee in December, 2022. Insofar as zoning standards are concerned, two items were flagged during TRC review: 1) increasing curb cuts from one to two, and 2) constructing additional parking in front of the proposed building addition. The applicant has wisely requested sketch plan review to understand the Boards' perspectives on the proposed construction prior to investing in a complete application and design.

The Design Advisory Board reviewed this application March 28, 2023. As a sketch plan review, no action was taken; however, the Board generally supported the project, including the proposed site layout.

The proposed development is large enough to require a pre-application meeting with the local NPA to provide an overview to interested residents.

Prior zoning permit actions for this property.

- Zoning Permit 21-463; Addition of boiler room. May 2021.
- Zoning Permit 20-0463CA; Post-construction site changes. November 2019.
- Zoning Permit 19-0560CA; Amend permit 17-1097CA/MA. February 2019.
- Zoning Permit 19-0538CA; Install new tanks and extend sound barrier. January 2019.

- Zoning Permit 19-0175CA; Window installation. August 2018.
- Zoning Permit 18-0150CA; Temporary construction trailer. August 2017.
- Zoning Permit 18-0066CA; Temporary concrete pad. July 2017.
- Zoning Permit 17-1097CA/MA; 14,200 sf building addition. June 2017.
- Zoning Permit 16-1434CA; Exterior lighting package. July 2016.
- Zoning Permit 16-1433CA; three new pole lights in front of building. July 2016.
- Zoning Permit 16-1126CA; place office trailer onsite for approximately one year. May 2016.
- Zoning Permit 16-1000CA; remove one existing light, replace with motion sensitive light, add two new lights. April 2016.
- Zoning Permit 16-0613CA; 5-year tree maintenance plan. January 2016.
- Zoning Permit 16-0673FC, installation of approximately 80 feet of vinyl fencing. December 2015.
- Zoning Permit 16-0400CA; install temporary loading dock and door. September 2015.
- Zoning Permit 15-0842CA; construct new addition for trash and recycling enclosure. Amendment of zoning permit 15-0252CA. March 2015.
- Zoning Permit 15-0252CA; construction new addition for trash and recycling enclosure. September 2014.
- Zoning Permit 15-0411SN; install lettering on existing freestanding concrete sign platform for “Rhino Foods” and “79”. September 2014.
- Zoning Permit 14-0354SN; replace existing sign with new metal, non illuminated sign for Rhino Foods. September 2013.
- Zoning Permit 09-087CA; two temporary trailers/containers for storage. August 2008.
- Zoning Permit 09-088CA; erect a 7 x 10 shed. August 2008.
- Zoning Permit 07-293CA; add 8 x 20 outdoor storage shed on existing gravel surface. No increase in lot coverage. October 2006.
- Zoning Permit 07-025CA; temporary trailer/shipping container 8’ x 40’ to be kept on an existing concrete pad to provide additional storage space. No change in lot coverage. To be removed by July 1, 2007. July, 2006.
- Zoning Permit 06-759CA; extension of permit 06-210CA for temporary field office. Field office to be removed six months from end of appeal period for this permit (December 1, 2006.) May, 2006.
- Zoning Permit 06-446CA; install an air cooled chiller inside existing fenced equipment area on south side of building. January 2006.
- Zoning Permit 06-210CA; temporary 36’ x 10’ field office for additional meeting space. Shall be removed within eight months from end of appeal period. September 2005.
- Zoning Permit 04-576; fence around chiller and HVAC and noise barrier on south side. Apply for additional parking on existing gravel. Storing shed on south side and rocks on south side as parking barrier. June 2004.
- Zoning Permit 04-145, boundary line adjustment to increase 70 Industrial Parkway by 1.41 acres to become 5.01 acres and reduce 159 Industrial Parkway by 1.41 acres to become 11.0 acres. September 2003.
- Zoning Permit 02-584; installation of 8’ chain link fence around existing chiller and HVAC on south side of building and installation of a 16’ x 30’ concrete slab on north side of building for compost bin. June 2002.
- Zoning Permit 01-535; installation of HVAC unit on south side of building. June 2001.

- Zoning Permit 01-261; increase parking lot for 22 spaces, install 500-gallon fuel tank, demolish shed, enclosed roof vent with 7' high 8' x 8' fence. November 2000.
- Zoning Permit 00-090 / COA 000-005; installation of five trailers (3 dry storage and 2 refrigeration) as storage units for the existing frozen food manufacturer. August 1999.
- Zoning Permit 99-591; replace one horizontal tank with two vertical nitrogen tanks 36' high on the north side of the existing Rhino Foods manufacturing plant. June 1999.
- Zoning Permit 97-249 / COA 092-086B; revised site and landscaping plan for the existing manufacturing facility. Proposal represents as-built conditions for COA 92-086. January 1997.
- Zoning Permit 97-227 / COA 092-086A; renewal of COA 92-086, dated 4/23/1992, to utilize the originally approved maximum of 4300 sf. within the existing manufacturing space for associated office space. November 1996.
- Zoning Permit 92-313 / COA 092-086; fenestration and façade renovations to existing industrial complex. Relocated front entryway, with installation of horizontal above ground 48' long tank on side of building. April 1992.
- Zoning Permit 79-210A / COA 79-27; construction of 18,000 sf pre-engineered frame addition (metal clad) at rear of existing building. To be accomplished in 2 phases. Phase I refers to excavation and foundation; Phase II refers to frame addition. May 1979.

Recommendation: Not applicable for Sketch Plan review.

I. Findings

Article 3: Applications, Permits, and Project Reviews

Part 3: Impact Fees

Applicant will be required to pay impact fees set forth and calculated by the Impact Fee Administrative Regulations based on the net new square footage of the proposed addition.

Part 5: Conditional Use & Major Impact Review

Sec. 3.5.2, Applicability

(a) Conditional Use

The food and beverage processing use is permitted (not conditional).

(b) Major Impact Review

Although the proposed expansion is large enough to trigger major impact review, it qualifies for exemption from major impact review as there is no change in use.

Article 4: Maps & Districts

Sec. 4.4.3, Enterprise Districts:

(a) Purpose

*The **Light Manufacturing** (E-LM) district is the primary commercial/industrial center of Burlington, and is intended primarily to accommodate enterprises engaged in the manufacturing, processing, distribution, creating, repairing, renovating, painting, cleaning, or assembling of goods, merchandise, or equipment without potential conflicts from interspersed residential uses. Other accessory commercial uses are allowed to support a wide range of services and employment opportunities. This district is intended to ensure that sufficient land area is appropriately designated within the city to provide an adequate and diversified economic base that will facilitate high-density job creation and retention. This district is primarily intended to provide for industrial*

uses suitable for location in areas of proximity to residential development. Development is intended to respect interspersed historic industrial buildings, and reflect the industrial aesthetic of the district's past. Parking is intended to be hidden within, behind, or to the side of structures.

Rhino Foods is an existing food processing facility; the use and proposed expansion is consistent with the intent of the E-LM zoning district.

(b) Dimensional Standards & Density

No building FAR information is included in the sketch plans and will be required upon application. A maximum FAR of 2.0 is permissible. The proposed addition looks to be well under this limit.

Lot coverage is not noted on the sketch plans and will be required on application plans. Within the E-LM zone, maximum permissible lot coverage is 80%. Recent permit history for the property indicates 52% existing coverage.

The proposed addition is set back beyond the minimum 5' required front yard setback. There are no minimum side yard setback requirements. As the rear of the property is also a zoning district boundary with a residential zone, a 25' rear yard setback applies. As proposed, the rear of the building addition looks to be close to 100' from the rear property line, and the circulation pavement is about 50.'

Building height information is not included in the sketch plans and must be included in application plans. The maximum permissible height is 45.'

(c) Permitted & Conditional Uses

The food and beverage processing use is permitted in the E-LM zone.

(d) District Specific Regulations

Not applicable.

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

The applicant is not seeking lot coverage exceptions.

Sec. 5.2.4, Buildable Area Calculation

Not applicable.

Sec. 5.2.5, Setbacks

See above.

Sec. 5.2.6, Building Height Limits

See above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See above

Sec. 5.5.1, Nuisance Regulations

No nuisance impacts are anticipated with the proposed expansion.

Sec. 5.5.2, Outdoor Lighting

No outdoor lighting information is included in the sketch plans. Presumably, the new parking will be illuminated. Details as to fixture types, locations, and illumination levels will be required upon application for the project.

Sec. 5.5.3, Stormwater and Erosion Control

Details as to stormwater management measures will be required upon application. The sketch plans depict a sizeable stormwater pond in front of the proposed addition.

Over 400sf of land disturbance is proposed, so an Erosion Prevention and Sediment Control plan will also be required. Both items will be subject to review and approval by the stormwater administrator.

Article 6: Development Review Standards

Part 1, Land Division Design Standards

Although not expressly noted in the plans, it appears that two parcels will be merged into one as part of this project. The open lawn slated for development is presently a separate parcel.

Part 2, Site Plan Design Standards

Sec. 6.2.2, Review Standards

(a) Protection of important natural features

The property is not affected by any important natural features as identified in the Natural Resource Overlay map. The tree line along the westerly boundary line remains intact.

(b) Topographical alterations

No significant topographical alterations are proposed. The site is flat and will remain so. A new stormwater pond will require some topographical alteration.

(c) Protection of important public views

There are no important public views on or through the subject property.

(d) Protection of important cultural resources

The site has no historical significance, nor are there any known archaeological resources.

(e) Supporting the use of alternative energy

No information as to alternative energy is included in the sketch plans.

(f) Brownfield sites

The subject property is not an identified brownfield.

(g) Provide for nature's events

Significant impervious surface will be created as part of this construction. Although details are limited, the sketch plans depict a new stormwater pond to capture additional runoff.

Peripheral green space remains for wintertime snow storage from plowing. Existing sheltered building entries will remain. Information as to new entries is lacking.

(h) Building location and orientation

The existing building faces Queen City Park Road. The proposed addition will be constructed to the south of the existing building and appears to leave the existing front entry intact. No new front entries are evident within the addition.

(i) Vehicular access

The existing driveway will be retained and will provide ingress and egress to and from the property for passenger vehicles. It will also serve as the entry for truck deliveries; however, trucks will circulate around the building and exit from a new southerly curb cut. The Department of Public Works has reviewed this second curb cut and found it acceptable. Sight lines at the existing driveway's intersection with the road remain essentially unchanged. Sight lines at the new driveway intersection with the road appear to be clear. Preliminary traffic information has been provided. Between 11 and 31 additional peak hour trip ends are anticipated, depending on the ITE versus Rhino Foods' supplied data. Both are below the 75 peak hour trip end threshold for requiring a comprehensive traffic analysis.

(j) Pedestrian access

There is no public sidewalk along this side of Queen City Park Road. Therefore, there is no requirement to provide a front walkway connecting to it. Pedestrian walkways provide access from the existing parking lot to building entries. No walkway associated with the new parking lot is evident on the sketch plans and will be required.

(k) Accessibility for the handicapped

ADA parking spaces are depicted within the existing parking lot. No additional ADA spaces are noted in the proposed parking. ADA standards are administered through the building code.

(l) Parking and circulation

Under present conditions, parking is situated in front of the building and to the south side. Circulation wraps around the entire building to facilitate truck access. The proposed building addition is located to the south. Parking to the south will be removed and relocated/expanded in front of the proposed building addition. Truck circulation will wrap around the entire building and exit via a new curb cut to the south.

As depicted in the sketch plans, the proposed parking falls short of compliance with this criterion.

- Location of parking in front of the building is discouraged but not expressly prohibited. There are no apparent site constraints to locating the parking behind or to the side of the expanded building. The applicants have submitted a narrative explaining operational roadblocks to locating the parking to the side or rear. The standard, locating parking to the side or rear of the lot "to the extent possible" is ultimately a discretionary call the Board needs to make. As noted above, the DAB was supportive of the site plan layout.
- Parking areas of 20 or more spaces need to be broken into smaller areas separated by landscaping. The proposed parking area contains over 20 spaces and depicts no "islands" or other landscaping features to break it into smaller areas. The site plan will need to depict these features upon application.
- At least 30% shading of the new parking area is required. At least one shade tree for every 5 parking spaces is needed. No shading information is included in the sketch plans and will be required upon application.

(m) Landscaping, fences, and retaining walls

Existing landscaping is depicted in the sketch plans. No new landscaping is shown. If new parking is ultimately constructed as noted in the sketch plans, it must be screened from the street with new landscaping and/or fencing.

(n) Public plazas and open space

No public plaza or open space is included or required in this proposal.

(o) Outdoor lighting

See Sec. 5.5.2.

(p) Integrate infrastructure into the design

No new infrastructure, such as mechanical equipment and solid waste and recycling facilities, is depicted in the sketch plans. If any is proposed, it must be depicted and screened on site plans submitted with the permit application.

Part 3, Architectural Design Standards

Not applicable – no building information provided.

Article 8: Parking

Sec. 8.1.9, Maximum On-Site Parking Spaces

Within the Shared Use Parking District, the maximum number of onsite parking spaces is limited to 1 per 1,000 sf GFA, plus 2 per 1,000 sf GFA devoted to patron use. Existing GFA of the building is 43,666 sf. The proposed 65,000 sf addition would bring GFA to 108,666 sf. No patron use areas are noted. As proposed, 96 parking spaces will be provided onsite. This total is below the maximum permissible of 109 spaces.

Sec. 8.1.10, Off-Street Loading Requirements

Off-street loading docks to the south side of the proposed addition are depicted on the sketch plans. As required, circulation affords truck access to them from the public street. The loading docks are appropriately located away from parking and pedestrian circulation.

Sec. 8.1.11, Parking Dimensional Requirements

The proposed parking spaces and circulation aisles are compliant with the standards of Table 8.1.11-1. They are 18' deep by 9' wide and have 24' aisle width for 2-way circulation.

Sec. 8.1.12, Limitations, Location, Use of Facilities

(a) Shared Parking for Off-Site Use

There is no indication that the parking will be provided for off-site users. It is assumed that the parking will serve onsite employees and visitors.

(b) Front Yard Parking Restricted & Residential Driveways

Not applicable.

(c) Availability of Facilities

As noted above, parking will be provided for onsite users. No aspect of the sketch plans indicate use of the parking areas for storage or display of vehicles or materials.

Sec. 8.1.13, Parking for Disabled Persons

The site plans depict a number of handicap parking spaces in close proximity to pathways and building entries. ADA compliance is administered via the city's building permit process.

Sec. 8.1.14, Stacked and Tandem Parking Restrictions

Not applicable.

Sec. 8.1.15, Reserved

Sec. 8.1.16, Transportation Demand Management

(b) Applicability

As the project results in more than 15,000 sf commercial GFA, it is subject to the standards of this section.

(c) Transportation Demand Management Program

The sketch plans contain no information as to the required TDM plan. Upon permit application, information to address each of the following criteria will be needed.

a. Outreach and Education:

b. TDM Strategies:

c. Parking Management:

d. TDM Agreement:

Sec. 8.2.5, Bicycle Parking Requirements

No bike parking details are provided in the sketch plans. The expanded facility will require 1 long term bike parking space per 20,000 gfa and 1 short term bike parking space per 25,000 gfa (at least 2 per public entrance).

II. Conditions of Approval

Not applicable for Sketch Plan review.

Burlington Development Review Board
Department of Permitting & Inspections
645 Pine Street
Burlington, VT 05401

RE: Rhino Foods – Additional Curb Cut and Parking Lot Discussion

Development Review Board (DRB) Members:

On 12/08/22 Rhino Foods and Food Tech met with the Technical Review Committee (TRC) to discuss the potential building addition at Rhino Foods' location at 179 Queen City Park Road. During this meeting there were two concerns brought up by the TRC relating to the proposed site plan and its compliance with the City of Burlington's Development Review Standards. We would like to address these two items with staff and the DRB in a Sketch Plan Review so we can come to an agreement on the approach to these items as they could have a make-or-break impact on our project.

Item 1: Curb Cuts

The first item relates to the Development Review Standard 6.2.2i – Parking and Circulation, which states, "Curb cuts shall be arranged and limited in number to reduce congestion and improve traffic safety."

We are proposing to go from one curb cut to two to enhance the safety for both employees and members of the public using the adjacent GMT bus stop. Rhino Foods currently has one curb cut that serves as a driveway for both passenger vehicles and larger trucks. After the building is expanded, a greater number of trucks will be present to serve the new warehousing space. Due to the increased number of trucks, we are proposing a second curb cut be allowed to reduce the amount of truck traffic through the employee parking lot. On our proposed site plan, trucks and passenger vehicles would both enter the existing curb cut at the front of the building. Passenger vehicles would also exit through this curb cut, but trucks would continue on the driveway around the perimeter of the building, and then exit out the new curb cut at the south end of the property. Providing a second curb cut dedicated to trucks exiting the site will (1) reduce the traffic through the parking lots and thereby provide a safer environment for employees and (2) reduce the truck traffic passing the bus stop located at the existing curb cut, reducing potential congestion and risks to citizens using that bus stop.

Item 2: Parking

The second item relates to the Development Review Standard 6.2.2l – Parking and Circulation, which states, "To the extent possible, parking should be placed at the side or rear of the lot and screened from view from surrounding properties and adjacent public rights of ways."

We are requesting that the DRB exercise the discretion permitted in the ordinance by approving the parking as proposed in our site plan.



At the time the existing Rhino Foods facility was built, the City standards allowed for parking lots to be located on the street side of the building. As this is an expansion of an existing facility, the proposed design complies with 6.2.2h, which states, "The introduction of new buildings and additions shall maintain the existing development pattern and rhythm of structures along the existing streetscape."

More importantly, in designing this addition to the facility, we have determined it is not operationally possible to place the parking to the side or rear of the addition. Imposing a condition to site the parking at the rear or side of the building would have a highly detrimental impact on both the proposed building expansion as well as the employee flow through the existing facility. Such a condition would render the proposed expansion infeasible and would result in this project not moving forward. Please consider the following points in evaluating the proposed site plan:

1. **Employee Safety** - The current and proposed parking lot provides direct access to the front entry of the building. Employees enter the front doors and have access to the administrative offices, break area, and locker rooms. It is not possible for some of Rhino Foods' employees to enter the opposite side of the building as they would have to pass through the production spaces which have strict sanitary requirements. And it is also not possible to reconfigure the employee entrance to any other location, as that would require a complete redesign of almost the entire building. Therefore, locating new parking to the side or rear of the lot would require employees to walk through areas of high truck traffic to reach the front entrance.
2. **Production Space and Product Flow** – Rhino Foods' current production space is at the rear of the current building, and the proposed expansion includes an extension of that production space at the rear of the building. If parking were located in the rear of the building, the production spaces could not be made contiguous, which would interrupt product flow in and out of the integrated production space. Also, the truck dock was placed on the south side of the building expansion to optimize product flow through the facility while still screening trucks from the road. And there is not enough space on the south side of the lot for both the truck dock and additional employee parking.
3. **Fire Department Access** - Eliminating the parking lot on the front of the building also creates challenges for fire department access to the new expansion. There will be a stormwater detention pond that needs to be placed along the street in order to connect to the existing stormwater system. Without a paved area on the other side of this pond, fire fighters would need to park on the street and navigate around the pond before they could access the building.

We appreciate your consideration of these two items. In summary, the second curb cut is intended to create a safer site by separating truck traffic from both Rhino Foods employees and citizens using the bus stop in front of Rhino Foods. Also, we hope we have adequately conveyed how locating the parking lot on the side or rear of the new expansion would make this project infeasible. We look forward to the opportunity to work with you and come to a resolution that suits the needs of both the City of Burlington and Rhino Foods. Thank you for your consideration.



Sincerely,

Nicholas Strube, AIA

Lead Architect, Food Tech, Inc.

Ted Castle

Owner and Founder, Rhino Foods

3/17/23

From: Bob Fisher <[REDACTED]>
Sent: Wednesday, March 29, 2023 7:17 PM
To: Scott Gustin <SGustin@burlingtonvt.gov>
Cc: [REDACTED]
Subject: Development Project Concerns

You don't often get email from [REDACTED]. [Learn why this is important](#)

[WARNING]: This email was sent from someone outside of the City of Burlington.

Dear Mr. Gustin,

Per our phone conversation earlier today I am writing you concerning development project ZP-23-9; 98 Sunset Cliff Road. This address abuts my back yard by a couple of hundred feet. As I stated, I have lived here - 67 Nottingham Lane - for 32 years. The ceaseless demolition of existing houses to construct even larger houses is a constant source of noise pollution of the worst kind. It goes on day after day all day for months in all seasons. As soon as one is completed, another begins. There is rarely any quite here. The F-35s are transitory. The knock-down/build-up never ending.

If you must approve this application, for the love of God, do NOT allow construction of a pickle ball court. Seriously? Would any of the board members tolerate ponk-ponk-ponk-ponk... in their backyard? I think not.

Please apply the provisions of City Noise Ordinance Section 5.5.1 to the extent that they will prohibit yet another assault on the right to peace and quiet in our neighborhood.

Thank you for your consideration.

Robert A. Fisher

Dear Mr. Gustin and DRB Members,

As you know, the residents of 98 Sunset Cliff propose to construct a pickleball court in the front yard of the property they have recently purchased. Neighbors on this street and in the adjacent Strathmore Development who are aware of this project are overwhelmingly opposed to this plan. The objection to having a pickle ball court on a very small street with houses placed less than 15 feet from one another is NOISE. Not just any noise, but the particularly penetrating noise this sport creates.

Unlike tennis, where the ball is soft and the racket surface is made of nylon strings, pickleball play consists of a hard wooden racket repeatedly whacking a hard plastic ball, played on a hard surfaced court. Striking the hard ball with the hard face of the pickleball racket creates a loud pinging/popping sound which carries hundreds of yards. A pickleball instructor recently informed me that "For some people this sound is hard to tolerate". When I asked him who has trouble tolerating this sound, he answered, "Anyone who doesn't like high pitched pings every three seconds". Numerous online and print articles have been written about the public's reaction to the noise associated with pickleball. The noise is described as "intolerable" or as some synonym of intolerable.

Pickleball courts are almost always associated with public recreational spaces.(Not small residential neighborhoods.) And even in these cases, where people expect to encounter noises associated with public recreational facilities, the residents and owners of neighboring houses find the associated noise of pickleball particularly, as previously stated, intolerable.

Conversely, in residential neighborhoods, people expect to enjoy the peace, quiet, and calm of their homes as they were when they bought their properties. If the new purchasers of 98 Sunset Cliff intended to install a pickleball court in their front yard, which would unquestionably interfere with the peace and quiet reasonably expected by Sunset Cliff and Strathmore residents, one would wonder why they didn't choose to live in an area where each house is separated from its neighbors by hundreds of feet if not even acres. There is also strong sentiment, validated by realtors, that the well known noise emanating from pickleball courts detracts from the resale value of neighboring properties. This specific issue really raises the larger question of what level of noise is acceptable and environmentally healthy to allow within city limits.

If construction of a pickleball court on Sunset Cliff Road were to be permitted, how could everyone else's concerns about nuisance noise be addressed. Because this sport requires a specific ball and racket, (and a hard ground surface), the sound associated with playing can not really be reduced by requiring softer equipment. So what about restricting hours of play? Due to the heat reflected off the hard surface of a pickleball court, people are more likely to play this sport when the outdoor temperature and sun are less intense. This would be in the early morning or evening hours, the very times when neighbors most count on peace and quiet. Plus, since most people on our street either work remotely from home or are retired, they are at home throughout the day, and would be disturbed by hearing pinging noises every three seconds. So even regulating playtime between 9 and 5 would still expose almost all of us to nuisance noise.

Another possible sound remedy would be to require the construction of tall sound-proofing walls around the court. This is both unattractive and costly.

In summary, a pickleball court with its attendant downside does not belong in a city residential setting. Those New North End residents who want to play pickleball can use the nearby public pickleball courts available at Appletree Point.

I hope to be able to express some of these concerns by joining the April 4th DRB meeting by Zoom.

Sincerely,

Marcia Hemley

Dear members of the Development Review Board,

Although we can not attend the 4/4 DRB meeting to review the plans for 98 Sunset Cliff due to Passover plans, we would like to join our many neighbors who are opposed to the addition of a Pickleball court.

We specifically purchased property on Sunset Cliff Road because of the quiet and peaceful environment offered and the small neighborly feel.

Mort has played pickleball and enjoys the game. With this in mind, we have first-hand knowledge of the fun, camaraderie, and noise it produces. Because Pickleball is a loud sport with sharp impact noises, we believe the addition of a pickleball court would forever change the serene nature of the neighborhood and we are strongly opposed to it.

In addition, please make note of our neighborhood layout, as many of the houses do not form a straight row but arch toward 98 Sunset Cliff.

Thank you for your consideration,

Nurit and Mort Zachter

48 Sunset Cliff Road

Department of Permitting & Inspections

Zoning Division
645 Pine Street
Burlington, VT 05401
Telephone:(802) 865-7188

*William Ward, Director
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Garret King, Associate Planner
Joseph Cava, Permit Technician
Ted Miles, Code Compliance Officer
Vacant, Permitting & Inspections Administrator*



MEMORANDUM

TO: Development Review Board
FROM: Garret King, Associate Planner
DATE: April 4, 2023
RE: ZP-22-640; 294-296 North Winooski Avenue

=====

Zone: RH **Ward:** 2C

Owner/Applicant: Irene C. Hinsdale Irrev TRUST/Samuel Nelis

Request: The applicant is requesting deferral of the public hearing on ZP-22-640 to a later date. The applicant has not specified a specific date as they are waiting to have issues, outside of the application, concerning the property resolved.

Burlington Development Review Board

Department of Permitting & Inspections
645 Pine Street
Burlington, VT 05401
www.burlingtonvt.gov/DPI/DRB
Telephone: (802) 865-7188
Fax: (802) 863-0466

AJ LaRosa
Caitlin Halpert
Geoff Hand
Brooks McArthur
Brad Rabinowitz
Leo Sprinzen
Chase Taylor
Sean McKenzie, (Alternate)
Emily O'Hara (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, April 4, 2023, 5:00 PM
AMENDED AMENDED AGENDA

In Person (at 645 Pine Street) Meeting

Zoom: <https://us02web.zoom.us/j/83225696227?pwd=SGQ0bTdnS000Wkc3c2J4WWw1dzMxUT09>

Webinar ID: 832 2569 6227

Passcode: 969186

Telephone: US +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 6833 or
+1 253 215 8782 or +1 346 248 7799

- I. Agenda**
- II. Communications**
- III. Minutes**
- IV. Public Hearing**

- 1. ZP-22-640; 294-296 North Winooski Avenue (NMU, Ward 2C) Irene Hinsdale / Samuel Nelis**
Change of use from mixed-use restaurant to bar. (Project Manager, Garret King)

Deferred until a date to be determined

V. Certificate of Appropriateness

- 1. ZP-23-56; 326 College Street (RH, Ward 8E) Jannef Holdings, LLC / Skip McClellan**
Building and parking lot improvements for stormwater collection/disposal including demolition and replacement of accessory structure and replacement of retaining walls. (Project Manager, Mary O'Neil)
- 2. ZP-23-9; 98 Sunset Cliff Road (RL-W, Ward 4N) Keye & Lucy Wong / Elizabeth Herrmann**
Demolish existing single-family residence and construct new single-family residence with associated site improvements. (Project Manager, Scott Gustin)

Public hearing extended for 7 days limited to additional comment submission. DRB will deliberate at the 4/18/23 meeting.

- 3. ZP-23-49; 21 Morse Place (RL, Ward 5S) Rieley Properties, LLCC / Silken Kershner**
Proposed construction of tenant parking including six regular and one ADA parking spaces. (Project Manager, Garret King)

Approved

VI. Sketch Plan

The programs and services of the City of Burlington are accessible to people with disabilities. Individuals who require special arrangements to participate are encouraged to contact the Zoning Division at least 72 hours in advance so that proper accommodations can be arranged. For information call 865-7188 (TTY users: 865-7142).
Printed on 100% Recycled Paper

1. ZSP-23-1; 179 Queen City Park Road (E-LM, Ward 5S) Zoo Holdings, LLC / Martin Courcelle

Sketch plan review of proposed 65,000 square foot addition to the existing Rhino Foods facility including associated access, parking, utility, and stormwater modifications. (Project Manager, Scott Gustin)

VII. Adjournment

Plans may be viewed upon request by contacting the Department of Permitting & Inspections between the hours of 8:00 a.m. and 4:30 p.m. Participation in the DRB proceeding is a prerequisite to the right to take any subsequent appeal. Please note that ANYTHING submitted to the Zoning office is considered public and cannot be kept confidential. This may not be the final order in which items will be heard. Please view final Agenda, at www.burlingtonvt.gov/dpi/drb/agendas or the office notice board, one week before the hearing for the order in which items will be heard.

The City of Burlington will not tolerate unlawful harassment or discrimination on the basis of political or religious affiliation, race, color, national origin, place of birth, ancestry, age, sex, sexual orientation, gender identity, marital status, veteran status, disability, HIV positive status, crime victim status or genetic information. The City is also committed to providing proper access to services, facilities, and employment opportunities. For accessibility information or alternative formats, please contact Human Resources Department at (802) 540-2505.

Burlington Development Review Board

Department of Permitting & Inspections
645 Pine Street
Burlington, VT 05401
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Chase Taylor
Sean McKenzie, (Alternate)
Vacant, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, April 4, 2023, 5:00 PM

MINUTES

In Person (at 645 Pine Street) Meeting

Board Members Present: AJ LaRosa, Caitlin Halpert (5:30), Sean McKenzie, Brad Rabinowitz, Leo Sprinzen, and Chase Taylor

Board Members Absent: Geoff Hand and Brooks McArthur

Staff Members Present: Mary O'Neil, Garret King, and Joseph Cava

- I. Agenda**
- II. Communications**
- III. Minutes**
- IV. Public Hearing**

- 1. ZP-22-640; 294-296 North Winooski Avenue (NMU, Ward 2C) Irene Hinsdale / Samuel Nelis**
Change of use from mixed-use restaurant to bar. (Project Manager, Garret King)

AJ LaRosa: There was a written request submitted to defer this item to a future DRB meeting to be determined. Mary, does this need to be deferred to a date certain?

Mary O'Neil: No, but it must be rescheduled six months from the date of the original warning.

AJ LaRosa: Motioned to defer to a date to be determined, Brad Rabinowitz 2nd. Vote 5-0. Motion carried.

V. Certificate of Appropriateness

- 1. ZP-23-56; 326 College Street (RH, Ward 8E) Jannet Holdings, LLC / Skip McClellan**
Building and parking lot improvements for stormwater collection/disposal including demolition and replacement of accessory structure and replacement of retaining walls. (Project Manager, Mary O'Neil)
Mark Farrell, owner, present.

AJ LaRosa: Can you tell us about this project?

Mark Farrell: We're adding underground chambers to collect and manage stormwater runoff for this site and abutting properties. The existing accessory structure is deteriorating and needs to be taken down.

Mary O'Neil: Mark, is there a plan you'd rather us project on the screen for reference?

Mark Farrell: No, the existing plan adequately addresses the site and abutting parcels.

The programs and services of the City of Burlington are accessible to people with disabilities. Individuals who require special arrangements to participate are encouraged to contact the Zoning Division at least 72 hours in advance so that proper accommodations can be arranged. For information call 865-7188 (TTY users: 865-7142).

AJ LaRosa: What is the need for a retaining wall, which is outlined in the plans?

Mark Farrell: There is an existing retaining wall, which holds up the site grade, which has deteriorated.

Brad Rabinowitz: Will this be a granite retaining wall?

Mark Farrell: Yes, concrete remainder block, with granite.

Chase Taylor: Is the accessory structure being replaced?

Mark Farrell: Yes, the accessory structure will be replaced by a slightly larger building with a community room on the second floor.

AJ LaRosa: Mary, is this project just for this parcel at 326 College Street?

Mary O'Neil: No, this is a comprehensive plan for stormwater improvements encompassing 328 College Street, 332-348 College Street, 87-89 South Willard Street, and 91-93 South Willard Street. The applicant owns all involved properties.

AJ LaRosa: Are there any additional questions from the board? Hearing none, are there any questions from the public? Hearing none, I move we close the public hearing on this item and we will deliberate later on.

- 2. ZP-23-9; 98 Sunset Cliff Road (RL-W, Ward 4N) Keye & Lucy Wong / Elizabeth Herrmann**
Demolish existing single-family residence and construct new single-family residence with associated site improvements. (Project Manager, Scott Gustin)
Elizabeth Herrmann, Bill Sorrell, Chris Roy, Claudine Safar, Dr. Lance Willis, Bonnie Ferro, Gail Anderson, Jeremy Grant, Evan Dick, Daniel Dudek: Sworn in.

AJ LaRosa: I am recused on this item. Brad Rabinowitz acts as Chair.

Elizabeth Herrmann: I am the architect and I have a correction to note. The stair proposed in the plans is already existing. We plan to leave the existing concrete retaining walls in place. Access to the shore is through a subterranean tunnel.

Chris Roy: To piggyback off Elizabeth, this is the best use of the existing landscape features.

Brad Rabinowitz: Can you clarify what is proposed?

Chris Roy: The stairs will be a mixture of concrete and metal stairs to reach the shoreline.

Elizabeth Herrmann: There will also be beautification measures taken to pull the house site away from the lake. Other property improvements include landscaping and a pickle ball court that conforms to the existing City regulations.

Chris Roy: I am the attorney representing the Wong's. This is a permitted residential use and does not violate the residential/recreational uses of this district. The neighbors feel strongly about the potential for noise in relationship to the pickle ball court. I'd like to clarify that this is outside the DRB's review.

Brad Rabinowitz: No lighting is proposed, so that would have been my question.

Claudine Safar: I am the attorney representing an adjacent property owner, Bonnie Ferro, whose

proposed residence. Compared to tennis, which utilizes a softer ball and racket, pickle ball uses a hard paddle and ball. The hard ball creates a popping noise upon impact with the paddle or ground. Accessory uses are allowable as long as they aren't in violation to the existing ordinance. The proposed pickle ball court would create a violation of the existing noise ordinance. It would also be a nuisance to the surrounding property owners. I'd like to introduce an expert on this subject, Dr. Lance Willis, whose background is important to this case. Lance has extensive background in research on the impacts of noise generated from pickle ball.

Brad Rabinowitz: In light of these evening's long meeting agenda, we'd like to hear from Lance.

Dr. Lance Willis (remote): We use a national standard that projects the methodology to analyze the popping noise generated by this sport.

Claudine Safar: Have you provided noise abatements for neighbors abutting pickle ball courts?

Lance Willis: Yes, pickle ball bylaw amendments are being adopted by municipalities as part of their noise ordinances.

Claudine Safar: What is the national standard for addressing pickle ball courts in residential neighborhoods?

Dr. Lance Willis: There has been no formal adoption of a national standard, but we follow the ANSI standards for noise exposure.

Claudine Safar: What experience do you have with the proximity of siting pickle ball courts with residential neighborhoods?

Dr. Lance Willis: The recommended distance between pickle ball courts and residences is 100 ft.

Claudine Safar: What is the estimated decibels using the previously mentioned range?

Dr. Lance Willis: 60 DBA within 100 ft.

Claudine Safar: Can people still hear it inside their homes at this range?

Dr. Lance Willis: Yes, people have reported interruptions to ZOOM meetings and other indoor activities.

Claudine Safar: What measures are recommended to mitigate noise?

Dr. Lance Willis: The recommended distance between a pickle ball court and abutting residence should be at minimum 150 ft. to mitigate noise.

Claudine Safar: Is there anything that the DRB should know?

Dr. Lance Willis: Most cases where a noise complaint is being lodged, is for the conversion of tennis courts to pickle ball courts.

Claudine Safar: Would this constitute a violation of the Burlington noise ordinance?

Dr. Lance Willis: I am unsure. Noise is still recorded past the 150 ft. mark. When siting a pickle ball court, a sound wall should be incorporated, but the sound wall can only do so much.

Claudine Safar: No wall is proposed in this application.

Claudine Safar: If the board approves this plan, then the DRB will be enabling a violation of the noise ordinance and would ultimately lead to the removal of the proposed pickle ball court if built.

Brad Rabinowitz: Dr. Willis, how does the noise output of pickle ball compare to other sports like basketball?

Dr. Lance Willis: Basketball does not create the same level of noise output as pickle ball.

Brad Rabinowitz: Where was the study for municipal changes conducted?

Dr. Lance Willis: Park City, Utah. This includes the 150 ft. buffer previously mentioned.

Brad Rabinowitz: What are the average lot sizes for Park City, Utah?

Claudine Safar: I do not have that information.

Brad Rabinowitz: This information would be helpful. Are there any additional questions?

Bonnie Ferro: Though there are houses meeting the recommended 150 ft. distance, there are some houses within 35 ft. of this project. Homes across the lake will receive the echo caused by pickle ball. We moved here to enjoy the peace and quiet that this neighborhood provides. This is the first project of its type proposed in a residential neighborhood in Burlington and it will set the stage for holding this neighborhood hostage to noise.

Gail Anderson: I was in support of this project until I learned of the noise that the pickle ball court will cause. We pride ourselves on the peace and tranquility that this neighborhood provides. I am concerned that the proposed house and pickle ball court will take away from this peace. The noise attributed from pickle ball is equivalent to three way traffic.

Brad Rabinowitz: To clarify, we have heard from the experts on this, but if the complaints are on noise, we have heard about this already and future comments should be contained to other agitating circumstances.

Jeremy Grant, from Primmer Pipe Eggleston & Cramer; attorney representing a neighbor. I won't belabor this further, but the applicant has not addressed the concerns raised by neighbors about noise. There is also an issue with the lot coverage calculation. Under my calculations, the proposed structure and pickle ball court would exceed the 35% lot coverage maximum.

Evan Dick: I live on Sunset Cliff Road, and we would regret any noise that disrupts the peaceful nature of the neighborhood.

Brad Rabinowitz: Mary, do the neighbors have to sign in to have standing?

Mary O'Neil: They must sign in to participate. This does not necessarily assure standing.

Marcia Hemley (remote): We feel this project disregards the character of the neighborhood and for someone new to come in and change the character without regard to others is outrageous.

Gail Anderson: We, the neighbors of Sunset Cliff Road, have nothing personal in our objections, but there is a difference between the noise outputs of tennis versus pickle ball.

Lucy Wong (remote): From my experience of living near an existing pickle ball court, there is very little difference between the noise generated by tennis and pickle ball. I'd like to thank our neighbors for the warm welcome to the neighborhood.

Daniel Dudek: Have you visited this site Dr. Willis?

Brad Rabinowitz: A reminder that questions should concern the nature of proposed project itself. We have more testimony that we can digest at this time. Mary, can you clarify the best way to move forward?

Mary O'Neil: We can leave this item open to continue receiving written public comment.

Caitlin Halpert: Motioned to keep the hearing open for seven days to accept additional feedback, Chase Taylor 2nd. Vote 5-0. Motion carried.

3. **ZP-23-49; 21 Morse Place (RL, Ward 5S) Rieley Properties, LLCC / Silken Kershner**
Proposed construction of tenant parking including six regular and one ADA parking spaces. (Project Manager, Garret King)
Silken Kershner: Sworn in.

AJ: I proposed we treat this as a consent agenda item. Have you had a chance to review the staff report?

Silken: Yes, and I have no issues.

AJ LaRosa: Motioned to approve and adopt staff recommendations, Brad Rabinowitz 2nd. Vote 6-0. Motion carried.

VI. Sketch Plan

1. **ZSP-23-1; 179 Queen City Park Road (E-LM, Ward 5S) Zoo Holdings, LLC / Martin Courcelle**
Sketch plan review of proposed 65,000 square foot addition to the existing Rhino Foods facility including associated access, parking, utility, and stormwater modifications. (Project Manager, Scott Gustin)
Ted Castle, Martin Courcelle, Matt Greer, Alex Demoly, Susan Mason Lazarev: Sworn in.

Ted Castle: We're very excited for this project for Rhino. This is a huge expansion and we want to know what is within our parameters.

Martin Courcelle: Showing the site plan, the building on the right is existing, and the building shown on the left is what is proposed. The project proposes a new curb cut to efficiently move traffic for delivery and employee parking.

AJ LaRosa: Will the existing stormwater pond be retained or modified?

Martin Courcelle: The stormwater pond will be changed.

AJ LaRosa: Part of the question for this is in response to the proposed parking lot plan including mitigation to retain the plantings created by the existing stormwater pond.

Martin Courcelle: We are proposing two gravel wetlands in front of the proposed parking and side lot connecting deliveries. As part of the expansion, we need the existing building to conform with the new building for the flow of production.

Leo Sprinzen: Is the south exit the only exit for the truck deliveries and pickups?

Ted Castle: The parking arrangement and flow of traffic as proposed makes sense for the turnaround

AJ LaRosa: This would be a discussion for DPW, but how could the traffic flow be addressed to impact surrounding businesses?

Ted Castle: We are ferrying raw materials in and out of the warehouse, and this plan maximizes the existing site.

Martin Courcelle: The shift differentiation also reflects the proposals for parking and traffic flow.

Brad Rabinowitz: Are you proposing the solar panels on the rooftop as shown?

Ted Castle: We would, but the project has grown too expensive.

Brad Rabinowitz: Would the construction of the Champlain Parkway include any additional access points?

Martin Courcelle: Yes.

Leo Sprinzen: Is there a bus stop proposed?

Ted Castle: Yes, there are two existing bus stops.

AJ LaRosa: Did you have to do a wetlands delineation?

Ted Castle: Yes, we completed a wetlands delineation for the small addition completed five years ago to address wildlife, shielding, and noise.

Sean McKenzie: I would recommend landscaping for shielding and shading.

Martin Courcelle: This is only sketch plan, so we'll have additional detail in the future for landscaping and shading.

AJ LaRosa: The entrance proposed in the conceptual drawing is nice, but are there any other proposals that stems beyond the traditional industrial grey scheme?

Ted Castle: Yes, we're proposing a large break room with gardens to add color.

Susan Mason Lazarev (remote): Rhino's been a good neighbor over the years and I have concerns about noise, traffic, and light. Can you go into more detail about this?

Ted Castle: The noise you're hearing is the deliveries of liquid nitrogen. Nothing about this will be changing. The warehouse has room for expansion but, we aren't proposing future expansion at this time beyond warehouse space.

Susan Mason Lazarev: How many truck bays?

Ted Castle: There are three existing, but we're proposing ten in total.

AJ LaRosa: I'd like to clarify that this is sketch plan and the questions surrounding impacts are better reserved for future meetings.

Martin Courcelle: Most of the equipment will be on the interior of the building but we will take this under advisement.

AJ LaRosa: I encourage more landscaping; you will need some trees in the new parking lot and I

Ted Castle: We originally had trees there, but they all died within 3 years.

Brad Rabinowitz: I suggest considering a different species.

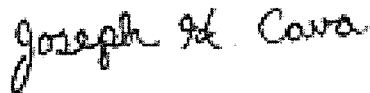
AJ LaRosa: So you will bring us back more information on landscaping, truck traffic, circulation, and scheduled deliveries. Hearing no additional questions, I move we close the public hearing on this item.

Brad Rabinowitz: This is a good use for this industrial parcel.

VII. Adjournment

Hearing closed at 6:45 PM.

 6/6/23
Alexander J. LaRosa, Chair of Development Review Board Date



4-7-23

Joseph H. Cava, Permitting & Inspections Permit Technician Date

Plans may be viewed upon request by contacting the Department of Permitting & Inspections between the hours of 8:00 a.m. and 4:30 p.m. Participation in the DRB proceeding is a prerequisite to the right to take any subsequent appeal. Please note that ANYTHING submitted to the Zoning office is considered public and cannot be kept confidential. This may not be the final order in which items will be heard. Please view final Agenda, at www.burlingtonvt.gov/dpi/drb/agendas or the office notice board, one week before the hearing for the order in which items will be heard.

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